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THESIS

**FUTURE INDONESIA-EAST TIMOR RELATIONS: AN
ANALYSIS OF THE REGIONAL SECURITY PRACTICES
IN THE COLD WAR AND AFTER**

by

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June 2001

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**FUTURE INDONESIA-EAST TIMOR RELATIONS: AN ANALYSIS OF THE
REGIONAL SECURITY PRACTICES IN THE COLD WAR AND AFTER**

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ABSTRACT

This thesis describes the history of Indonesia and East Timor as former colonial states. Indonesian leaders believed that East Timor was part of Indonesia's pre-colonial family and legacy, but East Timorese were more influenced by the Portuguese' 450 years colonialism. In 1975, the Government of Indonesia launched a military intervention and occupied East Timor. In the Cold-War era, having feared that the communist movement had infiltrated East Timor, the United States and its allies thus supported Indonesian military intervention in East Timor. The reaction of the international community was to condemn the Indonesian military intervention of East Timor. Indonesia always received some support from year to year in United Nations' resolutions.

This study examines the different views of major countries in the East Timor case during the Cold War and its aftermath. The situation in East Timor changed dramatically after the Cold War ended. The Association of Southeast Asian Nations (ASEAN), as a mature organization, will continue to play a critical role in the future of East Timor. This thesis concludes by exploring the ASEAN role in rebuilding East Timor both politically and economically.

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LIST OF ABBREVIATIONS

ABRI	Angkatan Bersenjata Republik Indonesia (the Indonesian Armed Forces)
APODETI	Associacao Popular Democratica Timorese (Timorese Popular Democratic Association)
ASEAN	Association of Southeast Asian Nations
ASEM	Asia-Europe Meeting
ASDT	Associacao Social Democrata Timorese (Association of Timorese Social Democrats)
CGI	Consultative Group on Indonesian
CNRT	Conselho Nacional da Resistencia Timor Leste (National Council for Timor Resistance)
FILANTIL	Forcas Armadas de Libertacao Nacional de Timor-Leste (Armed Forces for the National Liberation of East Timor)
FRETILIN	Frente Revolucionaria de Timor Leste Independente (Revolutionary Front for an Independent East Timor)
GAM	Gerakan Aceh Merdeka (Free Aceh Movement)
Golkar	Golongan Karya (Functionaries Party)
GPK	Gerakan Pengacau Keamanan (Disturbance Groups)
IGGI	Inter-Government Group on Indonesian
INTERFET	International Forces in East Timor
JIOG	Joint International Observer Group (UN)
KOMNAS HAM	Komisi Nasional Hak Azasi Manusia (National Committee of Human rights)
MNLF	Moro National Liberation Front

PDI	Partai Demokratik Indonesia (Indonesian Democratic Party)
PDI-P	Partai Demokratik Indonesia Perjuangan (Indonesian Struggle of Democratic Party)
PPP	Partai Persatuan Pembangunan (United Development Party)
RMS	Republik Maluku Selatan (South Moluccas Republic)
RPF	Rwandan Patriotic Front
TAC	Treaty of Amity and Cooperation
TNI	Tentara Nasional Indonesia (Indonesian National Military)
UDT	Uniao Democratica Timorese (Timorse Democratic Union)
UNAMET	United Nations Mission in East Timor
UNAMIR	United Nations Assistance Mission for Rwanda
UNTAET	United Nations Transitional Administration in East Timor
ZOPFAN	Zone of Peace, Freedom, and Neutrality

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EXECUTIVE SUMMARY

In August 1999, the people of East Timor voted for independence after more than 400 years of colonization by the Portuguese and more than two decades of occupation by Indonesia. The international community, notably the United Nations and the Association of Southeast Asian Nations (ASEAN), found that East Timor demonstrated the need to respond immediately in such conflicts. Knowing that the United States and its Cold War allies supported the Indonesian military intervention of East Timor in 1975, the UN thus found it difficult to intervene in East Timor, unless the Indonesian government was permitted to do so. This thesis describes the current East Timor crisis and examines prospective Indonesia-East Timor relations after the referendum.

The first part of this thesis reviews the history of the relationship between Indonesia and East Timor. The East Timorese wanted a separate national identity from Indonesia because many East Timorese believed Indonesia was not their motherland. Only a few of them have links to Indonesia after more than 400 years of being colonized by the Portuguese.

Portugal itself was under a dictatorship for about 50 years from 1926 to 1974 and its neutrality during World War II caused the Japanese to proceed slowly during the occupation of Portuguese Timor. Even after the end of WWII, Portugal did not pay much attention to Timor simply because the economic return was far less than the other five African colonies it controlled. The first hope for East Timor's self-determination occurred in 1960 when the UN issued the resolution to grant independence to all

colonized territories including Portuguese Timor. However, the Portuguese government estimated that East Timor was not yet ready to be an independent state. The thesis will thus investigate the emergence of East Timor's nationalism and politics, as well as the Indonesian security concern over emergence of enemy forces in East Timor.

This thesis describes the international responses to Indonesian military intervention in East Timor. A number of UN resolutions were passed calling for the withdrawal of Indonesian troops from East Timor. Though it was never recognized, the Government of Indonesia took the position that East Timorese integration into the Republic was the best solution concerning security in that region during the Cold War. President Suharto was very sure that Indonesia was not alone in occupying East Timor. In fact, Indonesia was backed by the United States and its allies, and supported by fellow ASEAN members as well. These events will thus challenge the UN position of the East Timorese case.

In the post-Cold War era, with the reduction of the United States military presence in Southeast Asia, the powerful regime of Suharto was getting weaker and weaker. Finally, Suharto was forced to resign in 1998 because of the 1997 ongoing economic crisis in the whole region. Indonesia's position in East Timor was also very precarious since the UN never recognized Indonesian sovereignty over East Timor. The thesis will review the role of the UN, the NGO's, and the effect of East Timor's independence both on Indonesia and the neighboring countries.

The thesis then recommends what can be done by the international community, the UN, the major countries and the ASEAN members, to build a future East Timor. It also identifies the importance of East Timorese reconciliation.

In conclusion, the thesis gives a list of prospective alliances for the new East Timorese state. The ASEAN approach would most likely be a popular alliance if the problems between Indonesia and East Timor could be solved. ASEAN could be used as a first step to bring East Timor into the international arena.

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Finally, the blessing and support I received from my family members were constant source of inspiration. The love, prayers and support of my wife, Early Halida, has inspired my work in accomplishing this thesis. My daughter Alma also deserves recognition for her understanding and patience while I was working far away from her. It is to my father and my mother for their contribution that I dedicate this work. It is also to my father and my mother-in-law who continuously prayed for my success in this opportunity to study at the Naval Postgraduate School.

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I. INTRODUCTION

A. BACKGROUND

During the Cold War era, tension between the two blocks influenced security practices in all regions, including Southeast Asia. Support from the major countries, especially from the United States' allies concerning Indonesia's annexation of East Timor, illustrated Indonesia's security dilemma. Given that Indonesia has contributed to stability and peace in the region, and the commitment of ASEAN members not to interfere in each other's internal problems, Indonesia-East Timor disputes should have been considered a domestic problem. However, since the United Nations never recognized Indonesia's annexation of East Timor, a diplomatic solution for the Indonesia-East Timor conflict was never achieved.

The East Timor crisis is a result of the problems of nation building in large, multiethnic societies. It also is a reiteration of the most dominant feature of the post-Cold War global order—the emergence of ethnic and religious issues as major themes of state and security. Considerations such as historical roots and legacy, ethnic identities, civilization linkages, colonial experiences, geographic location, and linguistic and religious aspects need to be carefully taken into account for any objective assessment since most of these factors tend to be extremely complex in nature.

A common phenomenon during the Cold War was the tendency of the armed forces to intervene when ethnic differences arose. Thus, the East Timor case also was

related to the role of the Indonesian military, and especially during President Suharto's regime.

Although they have a history of conflicts, Indonesia and East Timor are now starting to shape the future of Indonesia-East Timor relations. The role of post-referendum Indonesia-East Timor relations has made East Timor more confident.

B. STATEMENT OF PURPOSE

Will Indonesia-East Timor relations be in the post referendum? Who are the bad guys and who are the good guys? An Indonesian is not ready yet to answer these complicated questions. The weakness of the international community so far, through the United Nations humanitarian intervention, has made a little progress towards constructing what East Timor will become. However, much time is needed to build confidence in the East Timor nation. In addition, the independence of East Timor could cause a domino effect within Indonesia's internal territory, and even the whole region, simply because of the separatist movements seeking independence from Indonesian control. If East Timor did separate, why not the other provinces? Therefore, it is pertinent to examine what will be the best recommendations for further reconciliation in East Timor to maintain peace and stability in the region.

C. LITERATURE REVIEW

The cause of the Indonesian-East Timor conflict was the failure of Indonesia to ask for the opinion of the East Timorese. The East Timorese did not want to stand by again as another large government presumed to know what was best for East Timor. Even until recently, the conflict has centered mainly on East Timor's struggle to establish a separate national identity. The conflict was, furthermore, complicated by ethnic and

religious tensions. The East Timorese feel themselves to be different, both ethnically and culturally, from the occupying Indonesians. They came from different ethnic groups than the people of Indonesia. But most importantly, they were influenced by Portuguese colonial rule, whereas Indonesia was colonized by the Dutch.¹

For the United Nations, the East Timor conflict has been ongoing since 1960 when Portugal ignored the UN resolutions to grant independence to non-self –governing territories, including East Timor. This was followed by Indonesia failing to heed the relevant UN resolutions condemning its 1975 military intervention of East Timor and calling on it to withdraw its military. Additionally, the UN failed to act on its own resolution.²

The UN, backed by Australia and The United States, is thus of vital importance to East Timor. However, the UN is also perversely a potential hazard to the new East Timor state. There is a danger that the planned UN bureaucratic presence, the so-called “UN kingdom,” will stifle or retard the political processes in East Timor that the East Timorese leaders and the East Timorese population need to work through for themselves.³

The pro-Indonesia militia groups are also considered one of the main problems connected to the future East Timor. According to the UN investigation, there was evidence of the TNI (Indonesian Military) supporting the pro-integration militia groups. In fact, the militia has long had a role in the policing and defense of Indonesia, which,

¹Taro McGuinn, *Island in Turmoil, World in Conflict*, 1998

² Geoffrey C. Gunn, *East Timor and the United Nations: the Case for Intervention*, 1997

³ Damien Kingsbury, *Guns and Ballots boxes: East Timor's vote for Independence*, Monash Asia

according to Indonesian law, is referred to as a 'trained civilian.' The term 'militia' became popular with the foreign press as East Timor came to the attention of the international community. Consequently, they have been part of the TNI's strategy in East Timor since 1975.⁴

Many Asian scholars argued that the future East Timor would rely heavily on Indonesia relations. Since Indonesia is a key country of ASEAN, it is expected that ASEAN also will play a significant role in East Timor's future security arrangements. However, East Timor is also dependent on its leadership to find its future international relations. Unquestionably, ASEAN can help rebuild the East Timor state when Indonesia's rule in East Timor has completely come to an end.⁵

D. RESEARCH QUESTION

Before determining the research questions, it is necessary to understand what the basic argument or proposition is of this thesis. Therefore, the thesis statement will be: *"The relationship between an independent East Timor and Indonesia will be influenced by the norms of the ASEAN framework, rather than the norms of the international state."*

To guide the direction of the thesis, there are several questions that can be used to determine the goals and scope of the study.

Institute, 2000

⁴ Ibid.

⁵ Richard Tanter, *Bitter Flowers Sweet Flowers: East Timor, Indonesia, and the World Community*,

The primary question:

- What is the proper relationship between Indonesia and East Timor in the post referendum?

Supporting questions:

- What was the core conflict in East Timor both during the Cold War and after?
- How did the international community respond to the Indonesian-East Timor conflict?
- After the referendum, what has the United Nations and the international community done to rebuild the East Timor nation?
- What is the response of the ASEAN members in rebuilding Independent East Timor?
- What will be the proper alliances for the future East Timor?

E. THESIS SCOPE, LIMITATIONS, AND ASSUMPTIONS

The scope of the thesis will cover developments mainly since 1975, when Indonesia, with Western support, was campaigning for military intervention in East Timor. To understand the entire situation in East Timor, it is necessary to begin by examining the historical background of both Indonesia and East Timor, including the cultural and ethnic differences, social affairs and government behavior of the two countries.

The thesis will also examine the response of the international community, the NGO's, Human Rights Watch, and regional organizations to the Indonesia-East Timor conflict. It will describe the conflict between the two paradigms: the Cold War era and the post-Cold War era.

The thesis will make reasonable recommendations for future Indonesia-East Timor relations. It will highlight the cost and benefits arising from the changing nature of the post-Cold War world order based on international and regional perspectives, scholar's predictions, interested players, NGOs' statements and the East Timorese leaders themselves.

F. METHODOLOGY

The methodology used in this thesis is to analyze the conflict in East Timor on both a national and international level drawing from previous research, as well as a literature search of books, magazine articles, internet articles, an eye witness survey if needed, and other information sources in order to provide an appropriate frame of reference and information. All data and information will be analyzed to draw recommendations and conclusions.

In some chapters, the analysis will use the comparative method as well as case studies to understand the differences between the conflict in East Timor and other regional and international conflicts. The idea of using these methods is to determine which level of analysis can best explain this conflict.

G. ORGANIZATION OF THE STUDY

Chapter I presents a general introduction about Indonesia-East Timor relations in the world order and is followed by the scope and guideline of the thesis. Chapter II will give the historical background of the countries in dispute and the timeline of colonial experiences in these countries. Chapter III will try to investigate the international context of Indonesia-East Timor in the Cold War and after, especially from the perspectives of the regional and major powers, and the United Nations. Chapter IV will then analyze the

legal issues of the conflict in East Timor before, during, and after the Indonesian occupation. Chapter V will compare the East Timor crisis to other conflicts, both domestic and international. Chapter VI will analyze the current ASEAN response to rebuilding East Timor nation. It should answer the question of what can be done by the ASEAN states after East Timor becomes an independent state. Chapter VII will then analyze recommendations in an international context for the rebuilding of East Timor based on the lessons learned from other global conflicts, the sharing of common interests, fair reconciliation, refugee matters, and the UN effort towards transitional government of East Timor. Chapter VIII will be a prospective conclusion important to further security practices in the region although they will face simultaneously external and internal challenges since there are numerous players with differing interests and objectives, which is worthwhile to investigate in all sectors. Therefore, while resolving past problems in a less tense situation, both players should now adapt themselves to more flexible relations. In promoting East Timor on the global level, a regional security system could be an important new step towards rebuilding

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II. HISTORICAL BACKGROUND: BETWEEN THE TWO COLONIZATION

A. INTRODUCTION

To introduce both Indonesia and East Timor in the modern era, one should also understand the historical background of where the words “Indonesian” and “Timorese” originated. Thus, this introduction will summarize some of the pre-western colonial era of Indonesia.

1. Pre-Western Colonial Indonesia

Before the western colonial era, even allowing for a lack of reliable data, it was clear that Indonesia was the world’s largest island entity, and the tiny size, fragmentation, and ecological diversity of the archipelago had always fostered development. This tendency had been augmented by the difficulties of travel overland and the dominating role of the sea as a medium for human movement and cultural diffusion.

Many historians argue that there are four basic threads in Indonesian history which go far in explaining its intricate ethnic and cultural pattern. First, its location athwart the sea links between the two great Asian cultures of China and India has made Indonesia a frontier for influences stemming from both these countries. Second, since prehistoric times the archipelago has experienced a stream of cultural intrusions, each change initially only in random locations and each modified in terms of existing patterns to yield an ‘Indonesianised’ version which spread later to other parts of this island world. Third, a persistent feature of the multitude of islands, large and small, is the sharp contrast between the peoples on the coasts and those from the forested hilly interiors.

Finally, the rivalry for political and commercial supremacy between the centrally located, agriculture based realms of Java and the trade-oriented realms using the Strait of Malacca has provided a continuing theme since the dawn of recorded history.⁶

a. *Nusantara: The Golden Age of Indonesia*

In the fourteenth century, long before the arrival of Dutch and Portuguese colonizers, the era of Majapahit rule— the old Javanese Hindu-Buddhist empire— had passed into popular legend as a ‘golden age’ of Indonesian history and served as a source of symbolism for many nationalists in modern Indonesia. The empire was established not by the king but by his prime minister, Gajah Mada. He was Majapahit’s prime minister who for the first time codified the laws, customs, and policies. Many historians have considered Gajah Mada as the country’s first nation-builder. He succeeded in unifying the archipelago into one single state. As written in *Nagarakertagama*⁷ by Prapanca in 1365, the ‘*Palapa*⁸ oath’ pledged by Gajah Mada as a symbol of the whole unified archipelago, or *Nusantara*, in which he accomplished his unification mission over the whole region including Sumatra, Malacca, Borneo and the eastern archipelago of Bali, Maluku, and Timor, shown in Figure 1.

b. *Who are the Indonesians?*

Long before the western colonizers came, the Indonesians used to call their country ‘*Nusantara*’ (nusa-antara; nusa means Island and antara means between). It

⁶ Donald W. Fryer and James C. Jackson, *Indonesia*, p. 24.

⁷ *Nagarakertagama* is the epic composed by Prapanca in 1365 that assigns to Majapahit a huge empire comprising dependencies throughout the modern day Indonesia and much of the Malay Peninsula, Tumasik (old Singapore), and the Eastern part of present day Indonesia. (Indonesia: A Country Study)

⁸ *Palapa* is the old Indonesian Sanskrit name of coconut (fruit of labor) in which Gajah Mada promised not to drink the water inside the palapa before he could unify the whole archipelago during the Majapahit Empire. Today, the Palapa is used by the Indonesians to rename it for the Indonesian domestic

is descriptive enough etymologically, for Indonesia consists of an array of island stepping-stones scattered in the sea between mainland South and Southeast Asia and Australia. It is also located between the Pacific and Indian oceans. However, the nationalists and the Republic chose the Greek name over the Indonesian to indicate that modern Indonesia wishes to be identified with the modern world community which is Western-oriented.⁹

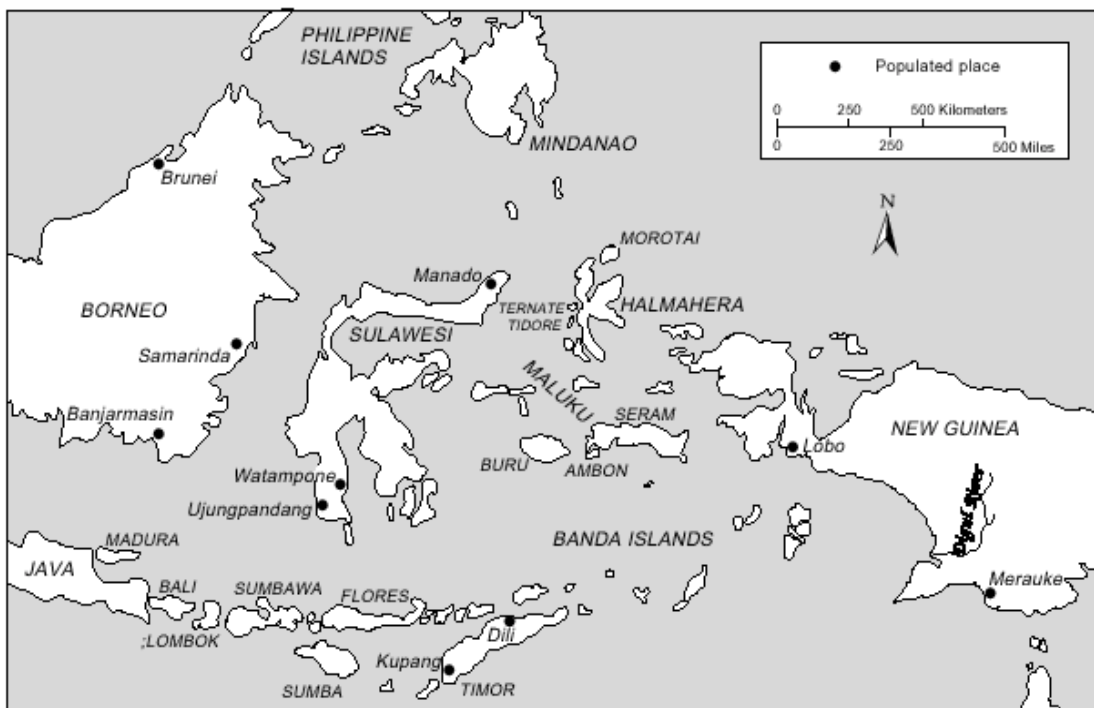


Figure 1. Map of the Eastern Archipelago in the Pre-Western Colonial Era.
From Ref: [M.C. Ricklefs, A History of Modern Indonesia]

According to many historians, Indonesia is not a nation in the sense that Iceland is. It is more a complex mixture of closely related cultures which share more or less a common history, like the United Kingdom, but on a larger scale of pluralism than any satellites.

other European nation west of the Soviet Union. While it has a certain claim to a common identity, there is no particular ethnic or cultural reason why the nation should have its present boundaries. It is only because of the historical forces which assigned a different sovereignty to parts of Borneo and Timor. Former British Borneo in the northwestern sector is now divided into three states, eastern Timor and another tiny portion of Timor belonged to Portugal, and Singapore is a sovereign country. Unfortunately, the claim that historical Indonesian empires had similar boundaries has never been scientifically verified by the Western colonizers as described earlier in the written historical evidence of Nagarakertagama. Therefore, if the people in northern Borneo and eastern Timor have in general no interest in being Indonesian, it is because of their historical connection with Western colonization.¹¹

c. National Identity

As outlined in the previous section, the many symbols used by Indonesians today reflected the golden age era of the Majapahit Emperor in the 13th century. Suharto uses the term ‘*Wawasan Nusantara*’ or archipelago outlook to refer to today’s Indonesian identity. This doctrine is aimed at ensuring the geographical unity of the archipelago as well as achieving the ideal unity of its people. As Gajah Mada did in the pre-colonial era, Sukarno and Suharto assure that the national resilience and the unity of the Indonesians are the answers to the challenges posed by a world still dominated by tension.¹² Therefore, the Indonesian leaders believe that without national resilience, the archipelago could fall apart very easily.

⁹ Allen M. Sievers, *The Mystical World of Indonesia*, pp. 3-15.

¹¹ Ibid.

¹² Alagappa, pp. 477 and 504.

Another Indonesian identity is the “*Bhineka Tunggal Ika*.” In a country covering a wide area and so segmented by seas, jungles, mountains, and swamps, diversity is inherent and the ideal of unity difficult to actualize. Thus, the motto of “*Bhineka Tunggal Ika*” from the early historical golden age of Indonesia is the only doctrine that can unify the diversity of the Indonesians. This motto is usually translated “Unity in Diversity” and also rendered as ‘the many remain one.’ It also asserts that genuine culture gaps can be bridged. The doctrine may be stated in the slogan: “The Indonesian nations are one, the Indonesian nation is one.”¹³

d. Indonesian Identity links to the Timorese

In the case of “East Timor Identity,” many of the East Timorese did not realize that West and East Timor did not exist before the colonizers arrived in the 16th century. Even the word Timor itself, as asserted by Taro McGuinn, came from the Indonesian language “timur” meaning “east.” He also describes how the island got its name since it is the easternmost large island in a long chain stretching from Sumatra in the west to Java and the Lesser Sundas (Bali, Flores, and Timor) in the east (see Figure 1). The division between East Timor and West Timor is primarily political. No physical feature distinguishes the two.

As in the Dutch and British colonies, over the years the Portuguese soldiers, sailors, and merchants intermarried with the native peoples of Timor. Although only a few people in East Timor are of entirely Portuguese ancestry, many East Timorese have at least one Portuguese ancestor.¹⁴ Those who have entirely Portuguese ancestry

¹³ Sievers, p. 14.

¹⁴ McGuinn, pp. 7-15.

mainly belonged to the FRETILIN group, the later East Timorese leaders (described later in the next section).

2. The Dutch and the Portuguese

This island has always belonged to a different ethnic group than its neighbor Indonesia. The territorial agreement brokered by the International Court of Justice had divided the Island of Timor down the middle in 1914 for the convenience of the Dutch and the Portuguese. It came under the colonial occupation of the Dutch and the Portuguese. The latter controlled East Timor for more than four centuries after the Dutch ceded it to Portugal under an agreement in the early 16th century.

Generally, amongst the many smaller ethnic groups, two principle populations can be differentiated: the Atoni who inhabit the mountains at the center of the island or what is now West Timor, and the Belu, subsequent invaders, who arrived in 300 BC from the Moluccas and Celebes. Both islands are now part of Indonesia. The most fundamental difference between the two peoples of Timor is the very different historical experiences under the Catholic Portuguese and the Calvinist Dutch. Unlike West Timor, East Timor experienced few deep-rooted changes in traditional society from the Pre-Western Colonial era to the Portuguese era and the Indonesian occupation. The Portuguese themselves governed through indirect rule, exercising what influence they could through the local rulers and chieftains. For a long period, Dominican missionaries and the powerful '*mestico*' (part-Portuguese, part-Timorese) families, known as the Black Portuguese or *Topasses*, represented Portuguese authority. Even during Indonesian occupation, traditional social and political structures derived their strength from their

family and clan connection. Therefore, it was difficult for Indonesians to have tried to restore 'age-old ties of brotherhood' after a 450- year period of Portuguese colonialism.¹⁵

Portugal itself was under dictatorship for about 50 years: Salazar (1926-1968) and Caetano (1968-1974), and its neutrality during World War II put constraints on the Japanese to go slow on the occupation of Portuguese Timor. Even after the end of the war, Portugal did not pay much attention to Timor simply because economic returns were far less than the other colonies it controlled. The process of decolonization began after the Carnation Revolution of April 1974 in Portugal. The revolution led to two years of great political disorder in Portugal, which witnessed the reemergence of the pro-Moscow Portuguese Communist Party, which was only brought to an end when there was a legislative election for a presidential candidate in which Mario Soares from the Socialist Party won the election to become president in 1986 and remained in power until 1996.¹⁶

In some aspects, though never recognized by Jakarta, Portugal's policies were very similar to those of the later Netherlands-Indies colonial regime. In the two decades between 1900 and 1920, the Dutch educated far more natives than they had done before; they systematically invested large sums in development, especially in communication, transportation, and infrastructure; and they created an elaborate police apparatus for surveillance and intervention. In a similar manner, when Indonesia occupied East Timor in the 1980s, there was the same explosive mixture of education, development, surveillance and intervention that contributed to steadily deepening and widening East Timor nationalism, especially among the young. The government of Indonesia allowed many

¹⁵ Peter Carey, *East Timor: Third World Colonialism and the Struggle for National Identity*, Conflict Studies No. 293/294, pp. 1-2.

East Timorese youngsters to have their education in Indonesian universities. However; the Timorese Catholic Church also massively expanded its membership and increasingly voiced the aspirations of this nationalism. The population of nationalists then had increased almost tenfold since the last days of Portuguese rule.¹⁷

B. THE EMERGENCE OF NATIONALISM AND POLITICAL FORMATION IN EAST TIMOR

In early May 1974, recognizing that there was a vacuum of power, East Timorese thus organized themselves into a number of parties. The three major parties, mentioned in the previous section, had become the ruling parties with different goals. The UDT (the Timorese Democratic Union) was generally conservative and pro-Portuguese. It initially advocated continued ties with Lisbon, but the leaders soon became collaborators during the Jakarta intervention.¹⁸

The other reformed party, the ASDT (the Timorese Association of Timorese Social Democrats), later known as FRETILIN (the Revolutionary Front for Independent East Timor), advocated “the universal doctrines of socialism and democracy.” Fully committed to independence from the beginning, it envisioned an eight-to-ten-year decolonization period in which the East Timorese would develop the political and economic structure necessary for independence. Both the UDT and the ASDT drew their leadership largely from the middle and upper class Timorese who had studied at the Jesuit college at Soibada and the seminary outside of Dili, and who were colonial

¹⁶ Ibid.

¹⁷ Carey and Bently, *East Timor at the Crossroads*, p. 62.

¹⁸ “The UDT leaders were thus summoned to meet the top generals in the Indonesian capitol, and on 11 August 1975, with the backing of the Dili Police Chief, they launched a coup designed to wrest power from the Portuguese and halt the growing popularity of FRETILIN.” Carey, *East Timor: Third World*

administrators and school teachers. East Timor's wealthiest citizens tended to support the UDT. They included senior administrative officials, native leaders, and prominent plantation owners.¹⁹

The last party formed in May 27, 1974, APODETI (the Timorese Popular Democratic Association), favored integration with Indonesia. Its initial name was "Associacao Para Integratio de Timor na Indonesia."²⁰ Its manifesto called for: "An autonomous integration into the Republic of Indonesia in accordance with international law and the teaching of the Indonesian language as a compulsory object." Their important leaders were Guilherme Goncalves, a liurai (local chieftain) from the border area, Arnaldo dos Reis Araujo, a southern-based cattle-rancher, and Osario Soares, a schoolteacher and administrative official. Indonesians realized by June 1974 that APODETI would not have any chance of winning the popular vote. Thus, Indonesian officials felt that they had a responsibility to urge the Timorese to think positively about integration based on such arguments as the historical connections with the Indonesians, geographical reasons, and ethnicity. They were also inclined to believe that Indonesians would be more likely to accept the popular will of the Timorese if the option of joining with Indonesia was openly and impartially presented to the Timorese community,²¹ as Indonesian Foreign Minister Adam Malik assured the FRETILIN representation, Ramos Horta, in June 1974.

Colonialism and the Struggle for National Identity, pp. 2-4.

¹⁹ Mathew Jardine, *East Timor: Genocide in Paradise*, pp. 25-26.

²⁰ ASDT, Its original name — the Association for the Integration of Timor into Indonesia — was quickly changed for public relation purposes. Mathew Jardine, p. 26.

²¹ John G. Taylor, *Indonesia's Forgotten War: The Hidden History of East Timor*, pp. 38-40.

The Government of Indonesia until now still adheres to the following principles:

- The Independence of every country is the right of every nation, with no exception for the people of East Timor.
- The Government as well as the people of Indonesia has no intention to increase or to expand their territory, or to occupy other territory other than to stipulate the 1945 Constitution.
- ...Whoever will govern Timor in the future after independence, can be assured that the Government of Indonesia will always strive to maintain good relations, friendship, and cooperation for the benefit of both countries...²²

During the period from April to June 1974, ASDT (now renamed FRETILIN) remained much less popular than UDT. However, it was not until the elections for village heads, held in July 1975, and after the coup attempt by UDT in August, that FRETILIN enjoyed a high degree popularity within the population. The reason for this popularity was that FRETILIN was building up its power base by working with existing political alliances based on kinship, and taking concepts and ideas prevalent in traditional society as the bases for the development of its programs. FRETILIN also emerged as a nationalist movement with extensive popular support and effective decentralized structure. They, finally, proclaimed East Timor an independent country on November 28, 1975, and named it the Democratic Republic of East Timor. However, Portugal rejected FRETILIN's unilateral declaration of independence, and also rejected the so-called 'Balibo Declaration' of integration into Indonesia on November 30, 1975 signed by UDT, APODETI, and some other parties.²³

²² Sony Inbaraj, *East Timor: Blood and Tears in ASEAN*, pp. 29-30.

²³ Carey and Bentley, pp. 35-36.

In the process of revolution, parties were created to promote democracy in East Timor. This resulted in the establishment of three political parties: the Democratic Union of Timor (UDT), the Timorese Social Democratic Association (ASDT) which later became the Revolutionary Front for Independent East Timor (FRETILIN), and the Timorese Democratic People's Union (APODETI). While the FRETILIN was a left-wing radical organization that demanded total independence, the APODETI promoted integration with Indonesia. The East Timorese held local elections in early 1975, in which the FRETILIN won 55 percent of the vote and combined with UDT vote constituted nearly 90 percent of the people supporting these two parties. While the battle for political supremacy was beginning to rage between FRETILIN and UDT, Jakarta realized that unless it acted quickly, it would find that FRETILIN had swept the board. In that situation, it seemed best for the Indonesian military leaders to support and encourage UDT, which actually motivated the UDT to stage a coup against the leftist FRETILIN in August 1975. This was challenged by FRETILIN through an armed struggle, leading to the establishment of its supremacy. During this struggle, Portuguese recalled their government in East Timor, which secretly left Timor on August 27, 1975.²⁴ Thus, neither the handover of the administration to the locals nor decolonization took place. Therefore, East Timor continued to be a Portuguese colony because they never gave up power nor were they driven out.

On the other hand, the developments in Dili were greeted with alarm in Jakarta. Political parties, freedom of speech, the end of censorship, social democracy, independence, and an internationally supervised referendum were all deeply threatening

²⁴ Carey and Bently, *East Timor at the Cross Road*, p. 35.

concepts for the Indonesian military leaders. After Indonesia's struggles to preserve the unitary Republic from the secessionists (Moluccas, Ambon 1950), federalists (Sumatra 1957-58, North Celebes 1957-61) and Communist revolts in Java and the outer islands (1948, 1965), the East Timor situation, from a nationalist perspective, would have jeopardized everything that had been won at the cost of so much blood. Therefore, the uncertain situation had attractions for all parties in East Timor, as well as for the Portuguese and the Indonesians. FRETILIN itself had a potent military. The Armed Forces of the National Liberation of East Timor (FILANTIL) and FRETILIN's military wing, formed on August 19, 1975, consisted of 2,500 professional troops, another 7,000 who had received military training under the Portuguese and some 10,000 who had attended short courses. As a member of the North Atlantic Treaty Organization (NATO), Portugal's military forces were also equipped with the most modern NATO weaponry, which now fell into FRETILIN's hands and explained why it was common for the Indonesian military leaders to be concerned about helping 'friendly' parties in East Timor.²⁵

With FRETILIN winning the civil war because of its larger following and better arms, and beginning to take control of the administration, the Indonesians were plotting to intervene militarily. Sensing that the Indonesian intervention was imminent, FRETILIN declared independence on November 28, 1975, as a pre-emptive move. As the guardians of Indonesia's national integrity, the Indonesian military was principally concerned that an independent East Timor might stimulate separatist tendencies among discontented ethnic groups in neighboring Eastern Indonesia, such as the West Timorese and the Ambonese.

²⁵ Carey, *Conflict Studies*, pp. 3-4.

In the aftermath of the Communist victories in Indochina in April 1975, Indonesia's military leadership was also obsessed with the risk of Communist infiltration and insurgency. To the military, therefore, integration was the only acceptable solution for East Timor.²⁶

To know more in depth how East Timorese view their political scenario, the following events might better explain the situation starting from when they struggled to get their freedom, the events during the civil war, and the core conflict in East Timor.

1. Independence Struggle

Historically, the people of East Timor had had experiences with self-determination. The first time in 1949, soon after the Indonesians obtained their independence from the Dutch. The people of East Timor waged a similar struggle for independence, which the Portuguese forces harshly put down. For three more decades, the Portuguese would rule over East Timor which they no longer considered a colony but an "overseas province" of Portugal. Portugal formalized this in an amendment to the Portuguese constitution. Nevertheless, that did not stop the United Nations from condemning Portugal for refusing to allow its colonial subjects the right to self-determination.

The second time was on April 25, 1974, when the Portuguese military overthrew the government in Portugal and soon after declared that the Portuguese colonies of Asia and Africa, including East Timor, would be accorded their democratic rights. The Portuguese authority allowed the people of East Timor to form political parties and started the process which would lead to a referendum. In that referendum the people of

²⁶ Carey and Bentley, *East Timor at the Crossroads*, p. 62.

East Timor would choose from three options: to become an autonomous territory under Portuguese rule, to become an independent country within or outside a Portuguese commonwealth; or to join the Republic of Indonesia as its 27th province.²⁷

2. Civil War

On August 20, 1975, using weapons supplied by the Portuguese, FRETILIN forces seized Dili, the capital of East Timor. Civil war had broken out. Instead of restoring order, the Portuguese authorities abandoned East Timor on August 26, 1975. While the civil war was threatening to spill over to Indonesian territory, on November 28, 1975, FRETILIN unilaterally proclaimed independence. The following day, the APODETI, UDT, and other political groups proclaimed independence and simultaneous integration with the Republic of Indonesia. On December 7, 1975, with Indonesian military assistance, they retook Dili from the FRETILIN forces and 10 days later proclaimed a Provisional Government. Both the Provisional Government of East Timor and the Indonesian Government sought UN participation in oversight of the decolonization process, but the UN chose not to act. Therefore, the Provisional Government proceeded to construct an elected People's Assembly.²⁸

3. The Nature of the Conflict in East Timor

After the abandonment by the Portuguese, what appeared to be a common phenomenon was the tendency by the Indonesian armed forces to either intervene or usurp power when ethnic difference arose. Mc Guinn argued that one of the aspects of Indonesian occupation that the East Timorese most objected to was the failure to be asked

²⁷ Inbaraj, pp. 22-24.

²⁸ The Untold Story of East Timor. <http://www.deplu.go.id/english/timtim.htm>

for their opinion. They did not want to stand by again as another large government assumed to know what was best for East Timor. Even until recently, the conflict centers mainly on East Timor's struggle to establish a separate national identity.²⁹

In addition, the conflict was furthermore complicated by ethnic and religious tensions. The East Timorese felt dissimilar, both ethnically and culturally, from the occupying Indonesians. They came from different ethnic groups than the people of Indonesia, but mostly they were influenced by Portuguese colonial rule, whereas Indonesia was colonized by the Dutch. Religion was not the main concern since a large majority of Indonesians are Muslim, and the Timorese are Roman Catholic. Occasionally, religious tensions occurred between the Indonesian military and the East Timorese protesters but there was no fighting between East Timor and the West Timorese. As it stands however, East Timor's troubles were a non-religious conflict. In fact, the struggle in East Timor was a separatist movement, which meant that the East Timorese were fighting to preserve their own language and culture, not their nation.²³

C. INDONESIA'S INTERNAL POLITICAL SITUATION

Domestic politics within Indonesia played its part in prompting military action in East Timor. Although Suharto came to power on the promise of restoring political and economic order in the country by undertaking drastic measures to change the constitution, the so-called "New Order" continued with the 1945 Constitution, which vested enormous powers in the hands of the president. The only visible change was the use of ruthless power to eliminate opposition to military rule. However, the military itself

²⁹ Taro McGuinn, *East Timor: Island in Turmoil*, pp. 17-19.

was not a unified force. The armed forces, with whose backing Suharto remained in power, were ridden with factions.³⁰

After the Communist coup in 1965, Sukarno was formally removed from power and Suharto appointed president. Thus the 'New Order' proceeded to impose control over the remaining political forces. The political parties were required to merge into two officially endorsed parties; the Partai Persatuan Pembangunan (PPP) or the United Development Party, and a merger between the nationalist and Christian parties, became known as the Partai Demokratik Indonesia (PDI) or the Indonesian Democratic Party.

The other party, which is never referred to as a political party because politics under the Suharto regime was always seen as disreputable, was the Golongan Karya (Golkar) or a group of functionaries. This became the state party. All government officials and employees automatically became members of Golkar; which also enjoyed the benefit of strong army support during parliamentary elections. This three-party system, which was strengthened heavily in Golkar's favor, ensured the state party would always dominate the parliament bolstered by representatives of the armed forces in their allocated seats.³¹ Therefore, Suharto claimed that it was never his intention to serve as president for life, but the system he constructed made it possible to run.

During the last two decades of the Suharto administration, although the Cold War had not ended yet, Indonesia was not faced with any Communist threats as its neighbors were. However, there were small, active, and secessionist movements namely Aceh, West

³⁰ Vatikios, Michael R.J., *Indonesian Politics under Suharto*, New York, Routledge Press, 1993, pp.60-64.

³¹ Paul Hainsworth and Stephen McCloskey, *The East Timor Question: the Struggle for Independence*

Irian, and East Timor rebellions. Of the three groups, the question of East Timor has proven to be the most difficult security and diplomatic problem for Jakarta. Fearful of Communist infiltration, Jakarta worried that East Timor could become a “Cuba on the doorstep” that could be used as a base for incursions by unfriendly powers into Indonesia. Thus, the major countries such as the United States and Australia accepted this idea. Additionally, it feared that an independent East Timor within the confines of Indonesia’s national territory would spark secessionist sentiments elsewhere in the archipelago. This is what has been happening recently in Aceh and West Irian.³²

D. THE ROLE OF SUHARTO’S MILITARY REGIME

The Sukarno experience of ‘Guided Democracy’ left widespread hope that the Indonesian armed forces, and especially the Army, that dominated government would establish a “Suharto’s New Order” that would at last open the way to prosperity and progress. In fact, the Indonesian army had become politicized acquiring a political orientation and political interests at the time of the revolution against the Dutch. Later, after the introduction of martial law in 1957, the army and the other branches of the armed forces became deeply involved in politics, civil administration, and economic and business management. The result was the army became the key element in the government coalition under Guided Democracy. During the Suharto administration, under Suharto’s New Order, the army officers consolidated their political power and expanded their economic interests. Although many of the policies the new government implemented contrasted sharply with those of the old regime, they did not occur from the

from Indonesia, pp. 55-56.

³² Adam Schwarz, *A Nation in Waiting: Indonesia in the 1990s*, pp. 200-203.

adoption of a new philosophy of social reform but because they were better suited in the new circumstances for the furtherance of interests that the army had established many years earlier.³³

Along with its economic interests, the army was also deeply rooted in the political arena since Indonesian independence in 1945 which the UN recognized in 1949. During the Sukarno Guided Democracy period, the army's perception of itself as an active participant in day-to-day politics and other nonmilitary fields became deeply entrenched. The development of the army in nonmilitary fields could be seen at its first seminar held in April 1965. The army produced a doctrine which declared that the armed forces in Indonesia formed a "military force and social-political force." As a social political force, the army's activities covered 'the ideological, political, social, economic, cultural, and religious field.' The army leaders thus upgraded the role of the Indonesian Military with its second seminar, held in August 1966 when Sukarno was forced to step down by the army leaders due to his involvement in the 1965 communist coup.³⁴ Realizing that the nation was in danger, the seminar thus declared that:

The Army, which was born in the cauldron of the Revolution, has never been a dead instrument of the government concern exclusively with security matters. The army, as a fighter of freedom, cannot remain neutral toward the course of state policy, the quality of government, and the safety of the state based on Pancasila.²⁹ The army does not have an exclusively military duty but is concerned with all fields of social life.³⁵

³³ Harold Crouch, *The Army and Politics in Indonesia*, pp. 22-23.

³⁴ Ibid.

²⁹ Pancasila is a national five basic principle which is written in the preamble of the 1945 Constitution

³⁵ Harold Crouch, p. 345.

During the New Order period, this doctrine was known as the Dwi Fungsi (Dual Function) of the armed forces. The continued army domination of the state during the 1970s was justified because the civilians still needed the strong leadership that only the army could provide. Another reason why Suharto created the Dwi Fungsi for the Indonesian military was military expenditure matters. The ABRI,³⁶ the Indonesian acronym for Angkatan Bersenjata Republik Indonesia or the Indonesian Armed Forces, has among the lowest rate of expenditure per capita in the region (see Table 1). The government found it difficult to provide the military with good facilities, better pay, and reasonable insurance. Therefore, the 'Dual Function,' so far, was the best solution for the Suharto administration to run the military.

	Expand as percent of GNP	GNP US\$ (Million)	GNP per capita	Military Exp\$US (Million)	Population (Million)	Military Expenditure per capita
Brunei	5.80	3100	13,120	179.8	0.24	761
Indonesia	2.10	71960	430	1585.2	176.65	9
Malaysia	3.20	31620	1,870	1011.8	16.91	60
Philippines	1.30	37710	630	490.2	59.84	8
Singapore	5.30	24010	9,100	1272.5	2.64	482
Thailand	3.70	54550	1,000	2018.4	54.55	37

Table 1. ASEAN's Military Expenditure in 1970's up to 1980's.
Source: The Robinson Rojas Archive.

³⁶ ABRI is stand for Angkatan Bersenjata Republik Indonesia (the Indonesian Armed Forces), later renamed TNI (Tentara Nasional Indonesia or the Indonesian National Military) after the reformation in 1999. It consists of the Army, Navy, and Air Force with the Police excluded.

Economically, the Suharto administration has built a centralized system of control. The foreign press considered his family fortune superior to that of the ex-president of the Philippines Ferdinand Marcos. Strategic industries in areas like oil, gas, communications and plantation were run by state companies controlled by 'Suharto's men' including military personnel. Aside from these enterprises and also linked to them, a series of private companies are property of Suharto's family or close associates.

After the 1965 –1966 communist coup attempt, Suharto folded the police into the armed forces. The army has customarily assigned two-thirds of its soldiers to territorial or domestic duties, a practice that has encouraged the assumption, in the public as well as in the armed forces, that military involvement in the internal security is essential to stabilize the community. A 1997 survey found that 80 percent of rural Indonesians interviewed approved of some military presence in the provinces to guard against communal violence. Ironically, amongst the 200 million population in the 1980s, the police force has only 180,000 members. Thus the army, roughly 200,000 personnel, was by far the largest and most important branch of the armed forces and reflected its dual function in society.³⁷

Concerning East Timor matters, shortly after the Indonesians occupied East Timor on December 8, 1975, the nation's famous coffee production fell into the hands of Indonesian generals. For security reasons, the army thus created P.T. Denok Hernandes International, which monopolized the business and controlled the price of the coffee cultivated by the Timorese of re-lodgment camps. They provided transportation, salesmen, and other operations under the strict supervision of the militaries. After the

³⁷ Muthiah Alagappa, *Asian Security Practice*, pp. 505-506.

Denok successfully ran and the military fully secured the areas, then Suharto's enterprises came one by one. The Bakrie Brothers for instance was a society of a son and half-brother of Suharto with a family of Arabian ascendancy, hence the company name. Other companies were the P.T. Nusa Bhakti owned by the wife of Suharto and P.T. Lianbau from his son. Furthermore, the military also brought its giant company through its commercial operation run by the Batara Indra Group, which held some companies and spread its interest through the whole island.

E. INDONESIA'S ANNEXATION OF EAST TIMOR

In the view of Indonesians, the dangerous situation occurred when the Portuguese abandoned East Timor on August 26, 1975. The Indonesian government always, and will always, argue that it was forced to act to prevent disaster after Portugal retreated in 1975, leaving a variety of factions to fight for control. One of the more radical factions, FRETILIN, was known for its leftist views that sounded like Communist doctrine. Indonesia feared civil unrest on its borders and was worried about having a Communist state as its neighbor. At that very time, Communists were taking over Vietnam, Laos, and Cambodia. Indonesia became seriously concerned about the regional impact. Indonesia feared that East Timor would become a Communist client state, and that the powerful navy of the Soviet Union would seek a sea route linking Southeast Asian Communist countries to the Timor island. In the 1970s, Suharto never imagined that he was going to get much more than he had bargained for. For many reasons, East Timor could never be made an obedient child of a large Indonesian family, as espoused and expected by the military in the Indonesian context, simply because, by the yardstick of any trait—language, culture, civilization, religion, ethnicity— it was not related to the family for

more than 400 years. The Portuguese influenced the hearts and minds of many East Timorese. Notwithstanding repeated claims, East Timor under the FRETILIN leadership continued to boil and a small band of rebels prevailed over the larger and more powerful Indonesian troops.³⁸ In the international context, the United Nations and many other nations never accepted Indonesian occupation of East Timor. The only obvious exception was Australia, under direct support from the United States, which formally recognized Indonesia's control over East Timor.

The dangerous situation and fear of a civil war disrupted Indonesian West Timor, leading Indonesia to conduct a full-scale military intervention to implement the 'Balibo Declaration,' on Sunday, December 7, 1975. However, the massive deployment of troops did not help Indonesia to subjugate FILANTIL, the armed wing of the pro-independence movement FRETILIN, whose number has grown consistently despite a high number of casualties in its ranks because of the growing radicalization of the post 1975 generation. The East Timor issue remained alive in the international fora in part because of recurrent incidents of atrocities and wanton killing by the Indonesian military. Amnesty International brought out a detailed report on widespread human rights violation by the Indonesian military in 1985. Many journalists reported that the Indonesian military killed at least 200,000 East Timorese.³⁹ However, according to an Australian *Herald Sun* journalist, Andrew Bolt, so far the United Nations Transitional Administration in East Timor (UNTAET) has discovered the bodies and fresh graves of only around 68. Of course, they are sure to find many more bodies, as the peacekeepers fan out into the

³⁸ Carey, p. 67.

³⁹ Ibid, p. 149.

countryside. The United Nations spokesmen in East Timor said that he had no idea of what the final number will be.⁴⁰ Therefore, the investigation on how the Indonesian military conducted its mission in East Timor since 1975 until now could be very difficult to uncover.

In the events following the 1975 military action, East Timor continued to boil and a small band of rebels— Indonesian called them GPK, Gerakan Pengacau Keamanan or the disturbance armed groups— allowed themselves to be subdued by the larger and more powerful Indonesian troops (or TNI). Of course, this was done at enormous cost. Despite no official report, Amnesty International predicted a number of casualties and at least 200,000 men were killed or missing. The UN mission in East Timor (UNTAET) had difficulty empirically establishing that 200,000 East Timorese had been killed. They could be either missing or might have emigrated during the civil war just a couple months before the Indonesian military intervention. The Indonesian government claims the military intervention in 1975 was a political action and refused to accept the number of casualties as human rights abuses. The military was not ordered to kill civilians, but it intended to eliminate the separatist's movement of FILANTIL (the armed wing of the pro-independence movement), which Indonesia considered to be the armed GPK (the disturbance armed groups). They were wearing civilian clothes, living in the jungles, and using underground networks to fight against the TNI. However, many journalists and reporters were irresponsibly biasing their information to convince international opinion that the TNI was aggressively killing civilians. It also remained under international scrutiny as the United Nations never accepted Indonesia's control over East Timor.

⁴⁰ Andrew Bolt, Herald Sun. October 7, 1999. 31

Though many countries support Indonesia's policy toward East Timor, Australia was the only country that formally recognized the Indonesian occupation of East Timor.

After the Cold War ended, the situation in East Timor was totally changed. The most prominent among the TNI's actions was the November 12, 1991 incident between the pro-independence movement and the TNI. For the first time, an official inquiry was conducted by the Indonesian government, which put the death toll at 50 (exact number unclear) resulting in the removal of two TNI generals and the court-martial of 10 soldiers. The end of the Cold War and mounting international pressure forced Indonesia to open up Indonesian policy in East Timor. However, it is important to understand that the TNI was reluctant to give up East Timor just because civilian political leaders were facing international criticism. From the viewpoint of TNI, they had intervened and occupied East Timor at enormous human and material cost and, hence, it should not be given up. Because the TNI was the backbone of Suharto, he could not ignore the army's feelings.

For Indonesia, the main reasons to occupy East Timor in 1975 were to stop the East Timorese civil war from widening into Indonesian West Timor since the Portuguese abandoned the island irresponsibly, and to anticipate infiltration by 'unfriendly' forces, the Communist movement in particular. Indonesia would never have intervened in East Timor if there had not been legal issues behind the conflict. Though it was never recognized by the UN, Indonesia was convinced by some legal arguments to occupy East Timor. First, the Balibo Declaration of November 30, 1975, in which all parties except FRETILIN declared their integration into the Republic of Indonesia. Second, the East Timorese Petition of May 31, 1976, a declaration of the East Timorese chieftains and the

majority of the people urging the Government of Indonesian to accept and formalize an immediate integration of East Timor with Indonesia. Third, Law No. 7 of 1976 in which the Suharto administration had to accept East Timor's integration into the Republic based on the People of East Timor's Petition. (To be explained in more detail in Chapter IV)

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III. THE INDONESIA-EAST TIMOR DISPUTE IN WORLD OPINION

The question of why and how Indonesia became involved in East Timor in the 1970s is also a large question for other countries in the world. Some of them blamed Indonesia, while many of them supported the Indonesian intervention in East Timor to maintain the stability in the region. As the height of Cold War tension and assured of understanding from Australian and other key western countries such as the United States, Indonesia was concerned about protecting its strategic interests in the event deepwater submarines passed through Indonesian internal waters. As long as many countries' interests in that particular area remained, there would always be international issues to be discussed.

A. RESPONSE FROM THE NEIGHBORING COUNTRIES

As the most populace country in Southeast Asia, Indonesia has been a key country and the founding father of the Association of South East Asian Nations (ASEAN). Obsessed with the principle of nonintervention in the internal affairs of neighboring countries, the leaders of ASEAN have uttered virtually no protest and instead have completely turned their backs on East Timor and its people. As witnessed two years after the annexation of East Timor, in 1977, ASEAN propounded the concept of a Zone of Peace, Freedom, and Neutrality (ZOPFAN) and the Treaty of Amity and Cooperation, yet they still respected their motto, which called for "ASEAN solidarity"⁴¹ in facing Indonesia's occupation of East Timor.

⁴¹ Barry Wain, *ASEAN and The East Timor issue*, <http://www.iidnet.org/apcet/views-asean.htm>

The term “ASEAN way” became meaningful for the members to discuss any problem by not interfering in each other’s internal problems. There were concerns raised as to how ASEAN would or should respond to the East Timor case in the long term such as whether they should support possible pressure from Indonesian West Timor, or whether they would be prepared to facilitate reconciliation between East and West Timor. The risk of ‘Balkanization’⁴² was always in ASEAN’s mind before and after East Timor independence. They saw the Indonesian Aceh and Irian Jaya as a possible next test, which could affect negatively on the economic and political stability of fellow ASEAN members.

1. Malaysia: A True Friend

Indonesia got solid backing from the fellow members of ASEAN especially Malaysia. In the name of ASEAN “solidarity,” the Malaysian government had chosen to censure all news since 1975 about the Indonesian military intervention in East Timor, in order to avoid troubles with its neighbor. It was clearly evident that Indonesia received help from Malaysia before and after Indonesia’s annexation of East Timor in December 1975. First, the Malaysian government was trying to pressure the East Timorese by contacting the UDT leaders and warning them that ASEAN countries would not tolerate the emergence of an independent “left-wing state” in the region.⁴³ Second, knowing that many countries were complaining about the origins of equipment being used by the Indonesian military in East Timor, Malaysia thus supplied the arms secretly to conceal their origin. Indonesian used that equipment to train APODETI and UDT members along

⁴² Alagappa, *Asian Security Practice*, p. 68.

⁴³ Inbaraj, *East Timor: Blood and Tears in ASEAN*, p.59.

the border of West Timor and sent them back to East Timor to fight against FRETILIN.

As reported by the CIA:

Vastly increased Indonesian involvement is now proposed; special troops armed with weapons that cannot be traced to Jakarta will be used. Malaysia has reportedly agreed in principle to supply such weapons.⁴⁴

Two years after East Timor became Indonesia's 27th province, another Malaysian effort to be a "good" neighbor became evident. In February 1977, the Malaysian government provided the Indonesian military with four ex-Royal Australian Air force Sabre jets as a source of spare parts for its own Sabre. This issue is now not top secret anymore since Australia also got involved in helping the Indonesian military intervention in East Timor.⁴⁵

2. The Philippines: A Friend in Need

From the beginning of the conflict in 1975, the Philippines government was standing very clear away from it. The Philippines was among the 12 countries, China and some other Asian nations, except Japan and South Korea, which rejected any UN proposal regarding Indonesia-East Timor issues. From the Philippines' viewpoint, Indonesia must not be humiliated or the nation could fall apart, which would then affect the Philippines' internal stability.⁴⁶ If East Timor became an independent country, the Philippine fear of separatism by its neighbor was clearly apparent.

In addition, Jakarta helped broker a 1996 peace agreement under which another Filipino Muslim separatist faction, the Moro National Liberation Front (MNLF), ended

⁴⁴ Ibid.

⁴⁵ Ibid

⁴⁶ Sony Inbaraj, East Timor Challenges ASEAN boundaries,

its 24-year armed campaign and accepted a government offer for limited Muslim rule in certain areas of Mindanao. With this situation, it was difficult for the Philippine government to accept any of the UN resolutions about East Timor. It was better for the Philippines to stay away or at least abstain on every discussion about Indonesia and East Timor. There was a tendency for all ASEAN members, including the Philippines, to view the East Timor case as Indonesia's internal problem. The Philippines government thus asserted:

if East Timor is destabilized, West Timor would also be destabilized. Once that happens there will be a chain reaction in Indonesia. Then if Indonesia is involved, there will be an impact on Mindanao.⁴⁷

In the Philippines view, as well as other ASEAN members, the East Timor case was important for the wider region and its stability. During Indonesian occupation, if East Timor were able to be successful in separating from Indonesia with external support, other separatist movements in the region could be encouraged— such as happened recently in the Indonesian provinces of Aceh, Irian Jaya, and Maluku.

3. Thailand: The Unclear Statement

Thailand's views were always changing about Indonesia-East Timor relations as well as Thailand's alliances with superpowers. Alignment and alliances have always been an important element in the Thai elite's approach to security.⁴⁸ Based on this theory and its experience as a country that has never been colonized, Thai foreign policies were also dependent on the alliance approach.

http://www.easttimor.com/etisc_documents/

⁴⁷ Ibid.

⁴⁸ Alagappa, *Asian Security Practice*, pp. 442-443.

In the Cold War era, knowing that The United States and other major countries were backing Indonesia's annexation of East Timor in 1975, Thailand was also obsessed with the principle of ASEAN's noninterference in the internal affairs of neighboring countries. Together with other ASEAN members, the Thai government felt that, since its establishment in 1967, ASEAN was created not only to foster economic and political solidarity among Southeast Asian states, but also to reject communism as a posing a threat to the region.⁴⁹ Therefore, when Indonesia feared the appearance of communism in East Timor, it was reasonable for the Thai government to vote against any of the UN proposals condemning Indonesia's occupation over East Timor. The resolutions passed anyway.

The situation in East Timor changed dramatically after the Cold War ended. As Inbaraj asserted:

Now that the Cold War is over, another argument had to be found, and there is nothing better than the Yugoslavia scenario to deter involvement by the rest of the world...the United Nations does not recognize Jakarta's rule over the [East Timor] territory and still considers Portugal the administration of East Timor.⁵⁰

This situation also affected Thailand's internal situation when the eleven East Timorese planned to attend a non-government organization (NGO) human rights conference⁵¹ simultaneously with the 1994 ASEAN ministerial meeting in Bangkok. However, the Thai government saw them as provocative since many of the NGO's

⁴⁹ Ibid.

⁵⁰ Inbaraj, *East Timor: Blood and Tears in ASEAN*, p. 10.

⁵¹ This NGO was the foreign participant to the regional human rights conference that associated with the National Council of Maubere Resistance (CNRM), an umbrella organization for East Timor resistance groups. Inbaraj, *East Timor: Blood and Tears in ASEAN*, pp. 15-17.

involved were among those who helped drive out the Thai Junta in May 1992 and set the stage for reversion to democracy in the country, including free elections. Therefore, the Thai government prohibited them from even entering Thailand.

One thing that remains the same in every ASEAN meeting after the Cold War is that its leaders insist non-intervention must remain ASEAN's principle. They still conclude that East Timor is Indonesia's internal problem unless the Indonesian government itself decides to seek help from other fellow ASEAN states. One such example, is in late 1999, the Transitional President B.J Habibie irresponsibly offered East Timor immediate independence and requested ASEAN to send as many troops as possible for peace-enforcement in East Timor. The ASEAN leaders then came out with a different interpretation as Thai Foreign Minister Surin Pitsuwan said:

East Timor has started a very very fundamental, far-reaching debate on how the organization will handle problems of this nature way into the future...It's the beginning of a serious process of soul reaching, of how we are going to cooperate.⁵²

4. Singapore: The Wise Advisor

Jakarta responded angrily when Singapore abstained at the United Nations vote. Suharto was expecting a lot of understanding from each fellow member of ASEAN regarding the East Timor situation. Suharto felt that as long as ASEAN stayed committed to supporting the Indonesian idea of occupying East Timor for regional security reasons, it could convince the international community positively. However, the Singapore Democratic Party (SDP) called on the Singapore Government under Prime Minister Lee Kuan Yew to do everything they could, or to give strong and wise advice, to the

⁵² Barry Wain, *ASEAN and The East Timor Issue*, <http://www.iidnet.org/apcet/views-asean.htm>

Indonesian counterpart in handling East Timor in a peaceful and dignified manner. Once Mr. Lee clarified his statement about the East Timor conflict in front of ASEAN and Japanese leaders:

To be fair, East Timor is not a Southeast Asian problem. It would not have been a problem if it was left to Southeast Asia and Japan. It was a problem created by Portugal, the European Union and the human rights group in America and Australia...The problem started, not because of ASEAN, but because these other countries said: 'Look, the East Timorese are unhappy.' But there are many unhappy minorities living very uncomfortable in ASEAN. You know that, I know that. We look the other way. To go in and intervene would have the whole ASEAN solidarity breaking up.⁵³

B. RESPONSES FROM MAJOR COUNTRIES

East Timor annexation into the Republic of Indonesia in August 1976 must be seen against the backdrop of a domestic as well as global political environment. By the early 1970s, the Soviet Union had established military parity with the United States and had begun to actively support Communist movements in the third world, especially in Africa in Angola, Mozambique and Ethiopia, for instance. Additionally, the Soviet Union intervened in Afghanistan, thus, starting the second round of the Cold War. By the mid 70s, the three countries of Indochina successfully emerged victorious, defeating the United States under the leadership of the Communist parties. There was a resurgence of leftist movements in countries such as the Philippines, Thailand, and Malaysia. After the military coup in 1965, deposing President Sukarno, the Indonesian military's credentials as an anti-Communist crusader were impeccable as far as the West was concerned. It became obvious, based on circumstantial evidence, that there was Western compliance in what Indonesia did in East Timor because the FRETILIN movement was, by and large,

considered to be leftist. Indonesia itself would not tolerate the emergence of a leftist country on its border.

It was clearly convinced that a number of key Western countries were involved in supporting the Indonesian military intervention in East Timor in 1975. The United States, Britain and Australia were countries that would have paid much greater attention if East Timor was not falling into Communist hands. As reported by a number of journalists, the green light for the annexation was given by the United States President Gerald Ford and Secretary of State Henry Kissinger, who visited Jakarta just a day before the Indonesian military intervention in East Timor on December 7, 1975. This event was thus used by Suharto to make sure that the United States Government accepted his concept of the annexation of East Timor to become the 27th Indonesian province. As the United States did, the British also implicitly supported Indonesia by selling their weapons to the Indonesian military. For its part, Australian played a key role in legitimizing the East Timor integration into Indonesia by issuing the official statement or the so-called “ Evans Doctrine.”⁵⁴

1. Response from the United States

In the United States’ view, Secretary of State Kissinger stressed that Indonesia had become the most advantageous trading partner. This attitude had much to do with the international context in the mid-1970s. The United States, whose own troops were completing their painful retreat from Indochina, was easily alarmed by the Suharto administration’s portrayal of FRETILIN as a communist party. The United States was

⁵³ Lee Kuan Yew on East Timor, *Straits Times* Singapore October 20, 1999.

⁵⁴ Inbaraj, *East Timor: Blood and Tears in ASEAN*, pp. 45-47.

interested in Indonesia not only because of Indonesia's anti-communism, but also, in geopolitical terms, the United States desired to see a fair decolonization process in East Timor even though it fell far short of its desire not to disrupt friendly relations with Jakarta. It was also important that the Americans desired to maintain US access to the deep-water straits running through Indonesia so that its submarines could pass undetected through the archipelago between the Indian and Pacific Oceans. For these reasons, many times before East Timor's referenda, the United States always abstained from most of the United Nations resolutions. They also censured Indonesia's annexation of East Timor and did what they could to calm down international condemnation, though the United States military sales to Indonesia were suspended after the Indonesian military intervention in East Timor. However, it resumed shortly after.⁵⁵

As one of the strongest backers of the new order regime of General Suharto after the Communist Party coup in 1965 that resulted in the overthrow of President Sukarno, the role of the United States in endorsing the Indonesian plan in occupying East Timor is also strongly suspect. This was mainly because of the fact that Indonesia occupied East Timor just a day after the United States President, Gerald Ford, left Jakarta after a short visit to Indonesia. It was most unlikely that Suharto would have undertaken such a move without implicit American support. In the situation of resurgent Communist activities after the Indochina victories, in any action that was based on anti-Communism, Washington most likely would have supported it.⁵⁶ It was also clearly evident that the United States implicitly challenged the judgment of the United Nations about the terms of

⁵⁵ Schwarz, *A Nation in Waiting*, p. 207.

⁵⁶ Carey and Bently, *East Timor at the Cross Roads*, p. 65.

Portugal remaining in East Timor as the administering power, as pointed out by the United States Department of State paper in 1992, “This recognizes the reality that Indonesia has possessed East Timor since 1975 and will not relinquish it...”⁵⁷

It was also true that “the United States understands Indonesia’s position” became the slogan of President Ford. He said that given a choice between East Timor and Indonesia, the United States had to be on the side of Indonesia. As in early 1976, the United States voiced its de facto recognition of Jakarta’s annexation of East Timor, formalized in a US State Department official statement: “In terms of the bilateral relations between the United States and Indonesia, we are more or less condoning the incursion into East Timor.”⁵⁸

Unlike Sukarno, the New Order regime under Suharto was more flexible in allowing large-scale foreign investment. By the 1979s, the United States was investing more in Indonesia than in any other Southeast Asian country. Part of that trade was arms. Even though the arms provided by the United States were limited strictly to self-defense, in Kissinger’s mind there was a difference if an independent East Timor would be a Communist state.⁵⁹ Therefore, new arms were sent, including OV-10 counterinsurgency planes and helicopters. (See Table 2)

⁵⁷ Paul F. Gardner, *Shared Hopes Separate Fear: Fifty years of US-Indonesia Relations*, 286.

⁵⁸ Jardine, *Genocide in Paradise*, pp. 37-39.

⁵⁹ Ibid, p. 11.

Type	In Service	Type	In Service
<u>Aircraft</u>		<u>Maritime Ships</u>	
A-4 Skyhawk	28	LST	8
F-5 E Tiger II	14	PGM-39	2
F-16 F. Falcon	12	Submarine (Hui Class)	1*
OV-10F Bronco	12	Claude Jones Class	4
C-130	21	LCU	34*
Cessna	30	<u>Armour/Artillery</u>	
HU-16	4	V-150 APCs	60
Aero Commander	6	M101 105 mm How	170
<u>Helicopters</u>			
Bell 205	16		
Hughes 500	12		

Table 2. Major US Military Equipment Sold to Indonesian, 1992.

*Operational Status Uncertain
After Ref: [The United States Library of Congress]

Today, especially after the Cold War has ended, which led to the decline in the United States' military presence and the collapse of the Soviet Union, regional uncertainties have emerged that influence the bilateral cooperation between Washington and Jakarta. No more communist threat in the region seemed to be an acceptable reason for shifting the United States' policies toward Indonesia. Thus, the Dili Santa Cruz Cemetery incident on November 12, 1991, between Indonesian forces and the East Timorese rioters or demonstrators, was a moment used by many human rights organizations to call for united support for the implementation of the UN resolution on

East Timor.⁶⁰ Therefore, it was the first time the United States affirmed support for East Timor's self-determination.

In Indonesia's view, the Santa Cruz incident was an act of policy. On the contrary, the media and reporters were exaggerating the situation by exploiting the Indonesian military's aggressive action at that time. Nobody knew exactly what happened during the incident because the situation was uncontrollable. In fact, the incident would never have happened if the demonstrators did not stab two Indonesian officers with a knife who were trying to calm down the demonstrators.⁶¹ Testimony varied, since many witnesses could not clearly recall the incident. Some of them might have been biased by the pro-independence groups. This was not the first issue that has had biased reporting, exploiting the situation in East Timor, as the former US Ambassador to Indonesia, Paul Wolfowitz, testified about Indonesia and East Timor in front of members of the Senate and the House of Representatives in September 1999. He then argued,

I sympathize with the millions of decent Indonesians who believe that there has been bias in reporting of events in East Timor, that pro-independence atrocities are often not reported at all," and then he implicitly explaining of why the United States shift the policy by asserting, "Perhaps one can say it did success in preventing in the 1970's a Cuba on Indonesia's doorstep, but there is not a threat any longer.⁶²

2. Response from Australia

Until the late 1990s, Australia's position that East Timor belonged to Indonesia remained unchanged. Over the years, Australia had given *de facto* recognition to Indonesia's occupation of East Timor. This means, although Indonesia is not an officially

⁶⁰ ETAN, US Policy toward East Timor, <http://etan.org/timor/uspolicy.htm>

⁶¹ McGuinn, *East Timor: Island in Turmoil*, p. 66.

⁶² Paul Wolfowitz, Joint Hearing US Congress and Senate, September 9, 1999.

recognized government of East Timor, Australia accepted Indonesia's existing territory as a viable solution that has worked for more than 20 years. As reported in the secret official documents of the Australian Government, which became available in March 1999, they indicated that the Prime Minister of Australia, Gough Whitlam, strongly supported Indonesia in two critical meetings with Suharto. The Australian newspaper, *Sydney Morning Herald*, which procured these documents, stated,

He [Whitlam] affirmed, however, that he strongly desired closer and more cordial relations with Indonesia and would ensure that our relations with Indonesia were paramount important to Australia.⁶³

In responding to East Timor Self-determination, the Prime Minister noted in this regard that he was not prepared to accept at face value the claims of the political personalities who have currently emerged in Portuguese Timor. He also noted that they were predominantly drawn from the mestizo populations, they had their own economic interests to protect and sought to retain their European lifestyle. The Prime Minister then implied that they, in fact, represented a small elite class. It may be that they would be able to win the allegiance of the people of Timor; but their claims were yet untested.⁶⁴

a. The Evans Doctrine

Australia played a critical role in legitimizing the Indonesian annexation of East Timor by advancing a new conceptual monstrosity to international law that is now called the "Evans Doctrine," after the Australian Foreign Minister Gareth Evans said, "We recognize Indonesian sovereignty over East Timor at the same time that we recognize the right of the people of East Timor to self-determination." The Government of Australia

⁶³ <http://www.pactok.net.au/doc/et/hforget.html>

⁶⁴ Ibid.

emphasized that Australia should not seek, or appear to seek, any special interests in Portuguese Timor. They were people with a different ethnic background, language, and culture. It would be unrealistic and improper if Australians were to seek some special relationship. They also believed that East Timor was too small to be independent. It was economically unviable. At the same time, the Australian Prime Minister noted that, for the domestic audience in Australia, incorporation into Indonesia should appear to be a natural process arising from the wishes of the people.⁶⁵

b. The Timor Gap Treaty

Another significant thing that glued the relationship between Indonesia and Australia was the so-called “Timor Gap Treaty.” As countries that have a complex and long-running dispute over the right to the Timor Sea, in 1978, three years after Indonesia’s occupation of East Timor, Australia decided to try a new approach to the problem of the Timor Sea. By declaring its support for Indonesia’s occupation of East Timor, Australia put itself in a strong position to negotiate the right to the Timor Gap with the Indonesian Authority. The negotiations took a long time until finally both countries signed an agreement known officially as the Treaty on a Zone of Cooperation between the Indonesian province of East Timor and Northern Australia. Unofficially it was called the Timor Gap Treaty. Both countries agreed to divide the sea into three areas. In the middle, it would be jointly developed, and the two governments would split the proceeds from leasing it out to oil companies. In the zone closer to Timor Island, Indonesia got control and agreed to give Australia a 10 percent fee from oil operations. The zone closer to Australia was under Australian control, and Indonesia got paid 10

⁶⁵ Inbaraj, *East Timor: Blood and Tears of ASEAN*, p. viii and 31.

percent of Australia's revenue. In 1995, however, the renegotiation between Australia and Portugal was refused by the International Court of Justice (ICJ), citing that Indonesia does not fall under ICJ's jurisdiction, and thus, Portugal continues to appeal the treaty.⁶⁶

c. Internationally Accepted Solution

The Australian Foreign Minister, Gareth Evans, instructed a senior official to prepare a "Blue Book" relating to the United Nations in world peacekeeping operations. This book was designed to be presented to the United Nations General Assembly in 1993. However, the book was opposed by the Australian National University since the book was drawing up a peace plan for East Timor along the lines of the United Nations intervention in Cambodia. Thus, the University initially set up the international conference on "Peacekeeping Initiatives for East Timor," which was held in July 1995. In short, the result was clearly to achieve an "internationally accepted solution,"⁶⁷ which encouraged the United Nations to establish a specific "peacebuilding" role for the United Nations in East Timor. On the contrary, the Evans' Blue Book focused on "Cooperating for Peace" instead of peace building. In his mind, peacekeeping (or peace building) comes after the war, the conflict, or the civil strife and is designed to prevent lapse into war. In the case of East Timor, he then argued, it comes after the United Nations body failed to act on its own resolutions. Therefore, the issues of the United Nations failures in East Timor were also unofficially called the "evolutionary"

⁶⁶ Carey and Bentley, pp. 73-85.

⁶⁷ *The Internationally Acceptable Solution* was firstly proposed by the UN Secretary General Javier Perez de Cuellar in the 1984, 1985, and 1986 sessions of General Assembly, which agreed to defer discussion of the East Timor question pending submission of reports by the Secretary General on talks between the Portuguese and Indonesian governments as specified in the 1983 General Assembly resolution. Geoffrey C. Gunn, *East Timor and the United Nations: the Case for Intervention*, p. 41.

shift in priorities on East Timor on the part of the United Nations from self-determination to humanitarian issues.⁶⁸

3. Other Supporters

During the Cold War, Indonesia got much support from the Western block in East Timor rather than the Eastern block. Suharto realized that without western support he could not intervene too much in East Timor. Although they condemned the Indonesian military intervention in East Timor, many state-actors remained good trading partners. Since 1967, the Inter-Governmental Group on Indonesia (IGGI), a consortium of donor countries, supplied billions of dollars in grants and bank credits to the Indonesian government. Countries such Britain, Canada, and Japan, the Netherlands, and Germany were among the biggest contributors to Indonesia in the 1970s. After the Cold War ended, Suharto disbanded the IGGI in early 1992 when some of the donor countries tried to link aid to human rights. Suharto then established something else called the Consultative Group on Indonesia (CGI), chaired by the World Bank.

a. Britain

After the annexation in 1976, Britain abstained from all eight votes on East Timor in the UN General Assembly, and continued to sell arms to Indonesia. As a major investor in Indonesia, the British government also sold eight British-made Hawk ground attack jets in 1978, two years after Indonesia's occupation in East Timor. Britain continued to sell arms for the next two decades, including licensing 40 more Hawk aircraft to Jakarta. In addition to being one of Indonesia's top weapons suppliers, Britain until recently was also Indonesia's second largest foreign investor after Japan. British

⁶⁸ McGuinn, pp. 83-85.

investment in Indonesia was reported to be over US\$ 30 billion since 1967, mostly in oil and chemical industries.⁶⁹

b. Canada

As Britain did, Canada also abstained from voting on the first five UN General Assembly resolutions on East Timor, and voted *No* on the last three. As described in the previous paragraphs, Suharto was convinced by the major countries in the East Timor cases. From his point of view, as long as the major countries voted against the UN resolutions for East Timor, he then felt very sure that East Timor's integration was an act of policy. From the Canadian point of view, Indonesia has consistently been among the top recipients of Canada's direct, country-to-country aid, receiving CDN\$ 35 million in 1996-97.⁷⁰

In terms of arms sales, Prime Minister Pierre Trudeau had decided to sell weapons to Indonesia following a meeting with Suharto five months before Indonesia's occupation of East Timor. Although it was halted in 1992 as a follow up to the Santa Cruz incident, it resumed under Prime Minister Jean Chrétien in 1993. In addition, Chrétien also signed a nuclear cooperation agreement with Indonesia in 1994 as part of the first step toward technology transfer.⁷¹

c. Japan

In the East Timor case, Japan's stand was very clear. Japan voted against all UN General Assembly resolutions on East Timor from 1975 to 1982. In Japan's view, as asserted by Jardine, East Timor, a tiny half-island with relatively few resources, can

⁶⁹ Jardine, *East Timor: Genocide in Paradise*, pp. 52-67.

⁷⁰ Ibid, pp. 48-49.

scarcely compete with what Indonesia has to offer. Jardine then argues that a diplomatic white paper from the Japanese government made it quite clear how important Indonesia had become to Japan's future:

Indonesia has a strong, mutually dependent relation with Japan through provision of oil and natural gas and acceptance of direct investment. And Indonesia is a very important country for Japan because it is located in an area with important international sea routes and because it has political influence in Southeast Asia.⁷²

Unlike the other major countries, Japan does not contribute arms sales to Indonesia, per Article 9 of Japan's constitution on Japan's commitment to use their arms only for self-defense purposes. However, in economic terms, Japan was the second largest foreign investor in Indonesia in 1975, and now is the largest.

C. THE UNITED NATIONS RESPONSE TO THE INDONESIAN MILITARY INTERVENTION IN EAST TIMOR.

From 1975 to 1982, the UN voted every year on Indonesia's takeover of East Timor. And each time, the organization passed a resolution condemning the occupation and calling for a vote of self-determination. In every UN vote, however, Indonesia gained a bit more support. In 1975 only nine countries sided with Indonesia. By 1982, 46 countries had taken Indonesia's side.⁷³

The question is why did the UN react very slowly in every conflict in the world? The quick answer is simply because the UN is too weak to enforce anything against any state or person found guilty. Public international law cannot be enforced by the same methods used in municipal law because of the nature of the parties involved. Based on this argument, the lack of a clearly defined legal system, especially in regards to state

⁷¹ Ibid.

⁷² Ibid, pp. 47-48.

⁷³ Taro McGuinn, *East Timor: Island in Turmoil*, p. 70.

jurisdiction, to decide on the basis of established principle of law is considered one of the weaknesses of the international legal system, which could affect UN decisions.⁷⁴

Soon after Indonesia's military intervention in December 7, 1975, the United Nations General Assembly passed a resolution asking Indonesia to withdraw its armed forces from East Timor immediately, and upheld the East Timorese people's right of self-determination. The vote was 72 to 10, with 43 abstentions, including the United States, Canada, and most Western European nations.⁷⁵ The on going vote always leaned heavily towards the Indonesian side. During the Cold War, this situation was not unusual since Indonesia was considered to be an 'ally' for the Western block. Therefore, for the Western side, Indonesia is too big to disappoint, especially in terms of the balance of power in the region they called "the Southeast Asian Tiger."⁷⁶

1. Analysis of the Vote of UN Resolution on East Timor

The United Nations had repeatedly condemned Indonesia's military intervention in East Timor since 1975, and decided to keep East Timor on the list of Non-Self-Governing Territories of the General Assembly. Despite the repeated condemnation by the United Nations, assured that major countries backed Indonesia's annexation over East Timor, the Indonesian government kept controlling the territory throughout the years, which expressively illustrates both the UN's strengths and its weaknesses. This section will analyze the votes of the UN Resolution enacted from 1975 to 1982 summarized from Geoffrey C. Gunn's documents.⁷⁷

⁷⁴ Thomas R. Van Dervort, *International Law and Organization: An Introduction*, pp. 87-90.

⁷⁵ Jardine, *East Timor: Genocide in Paradise*, pp. 36-37.

⁷⁶ Inbaraj, *East Timor: Blood and Tears in ASEAN*, p. ix.

⁷⁷ Guinn, pp. 107-116.

a. General Assembly Resolution 3485 (XXX)

The Vote of Resolution 3485 was held on December 12, 1975, which focused on: (1) Recognizing the inalienable right of all people to self-determination and independence with the principles of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of the 14 December 1960; (2) Request the Government of Portugal to continue its cooperation with the Special Committee on the Situation with regard to implementation of the Declaration on the Granting of Independence to Colonial Countries and People and request the Committee to send a fact-finding mission to the Territory as soon as possible, in consultation with the political parties in Portuguese Timor and the Government of Portugal. The result of this resolution was: 72 agree, 9 against, and 43 abstain.

b. Resolution 31/53

The resolution 31/53 of 1976 emphasized (1) Recalling its resolution 3485 (XXX) of 12 December 1975 and Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976; (2) Deciding to include in the provisional agenda of its thirty-second session an item entitled “Question of East Timor.” The result was: 68 agree, 20 against, and 49 abstain.

c. Resolution 32/34

The Resolution 32/34 was voted on November 28, 1977, which (1) Recalling its resolutions 3484 (XXX) of 12 December 1975 and 31/53 of 12 December 1976 and Security Council resolutions 304(1975) of 22 December 1975 and 389 (1976) of 22 April 1976; (2) Rejecting the claim that East Timor has been integrated into

Indonesia in as much as the people of the Territory have not been able to exercise freely their right to self-determination and independence. Vote result: 67 agree, 26 against, and 47 Abstain.

d. Resolution 33/39

This Resolution was voted on December 13, 1978, which focused on (1) Recalling its resolutions 3485 (XXX) of 12 December 1975, 31/53 of 1 December 1976 and 32/34 of 28 November 1977 and Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976; (2) Requesting the Special Committee on the situation with regard to the Implementation of the Declaration on Granting of Independence to the Colonial Countries and Peoples to keep the situation in the Territory under active consideration, to follow the implementation of the present resolution, to dispatch to the Territory as soon as possible a visiting mission with a view to the full and speedy implementation of the declaration and to report thereon to the General Assembly at its thirty-fourth session. The result was: 59 agree, 31 against, and 44 abstain.

e. Resolution 34/40

This resolution was focused on (1) Declaring that the people of East Timor must be enabled freely to determine their own future, under the auspices of the United Nations; (2) Requesting the United Nations Children's Fund and the Offices of the United Nations High Commission for Refugees to render, within their respective fields of competence, all possible assistance to the people of East Timor, particularly the children and those seeking leave for another country for purpose of family reunion; (3) Requesting the Secretary General to follow the implementation of the present resolution and to report

thereon to the General Assembly at its thirty-fifth session. This was held on November 21, 1979 and the result was: 62 agree, 31 against, and 45 abstain.

f. Resolution 35/27

The purpose of this resolution, held on November 11, 1980, was: (1) Welcoming the diplomatic initiative by the Portuguese Government as a first step towards the free exercise by the people of East Timor of their right to self-determination and independence, and urges all parties directly concerned to cooperate fully of the General Assembly resolution 1514 (XV); (2) Requesting the World Food Program, the UNICEF, and the UNHCR to render, within their respective fields of competence, all possible assistance to the people of East Timor, particularly the children. The result was: 57 agree, 29 against, and 39 abstain.

g. Resolution 36/50

The vote of this resolution attempted to (1) Recall the communiqué of the Council of Ministers of Portugal, issued on 12 September, in which the administering Power pledged to undertake broad initiatives with a view to ensuring the full and speedy decolonization of East Timor; (2) Declare that the people of East Timor must be enabled freely to determine their own future on the basis of the relevant General Assembly resolutions and internationally accepted procedures; (3) Call upon all interested parties, namely Portugal, as the administering Power, and the representatives of the East Timorese people, as well as Indonesia, to cooperate fully with the United Nations with a view to guaranteeing the full exercise of the right to self-determination by the people of East Timor, which resulted: 57 agree, 35 against, and 37 abstain.

h. Resolution 37/30

With this resolution, Indonesia was trying to seek international support through its diplomatic channel in order to eliminate the East Timor issue on the UN agenda. This resolution itself stressed: (1) Requesting the Secretary General to initiate consultations with all parties directly concerned, with a view to exploring avenues for achieving a comprehensive settlement of the problem and to report thereon to the General Assembly at its thirty-eighth session; (2) Calling upon all specialized agencies and other organizations of the United Nations system, in particular the World Food Program, the UNICEF, and UNHCR immediately to assist, within their respective fields of competence, the people of East Timor, in close consultation with Portugal, as administering Power. The result was: 49 agree, 41 against, and 45 abstain.

When the UN General Assembly vote of 1982 with 49 in favor, 41 against, and 45 abstentions, the motion instructed the UN Secretary General to initiate consultations with all concerned parties in order to achieve a comprehensive settlement of East Timor issues. Starting from 1983, the General Assembly surprisingly agreed to defer discussion of the East Timor question on talks between the Portuguese and Indonesian government only instead of voting on the General Assembly resolution, as witnessed in the 1984, 1985, and 1986 sessions of talks.

In the international context, a close look at individual countries' votes shows that their behavior at the United Nations was part of a much larger pattern of support for Indonesia. The UN resolution from 1975 to 1982 became significant for the international community to judge whether the United Nations was strong enough or failed to apply its resolution in the East Timor cases. However, as described in previous sections, Indonesia

always got a little bit support especially from Western or Western-aligned countries as illustrated in Table 3. Therefore, Indonesia had never given up until finally President Habibie irresponsibly gave the people of East Timor independence.

Country	1975	76	77	78	79	80	81	82
Australia	Y	A	A	N	N	N	N	N
France	A	A	A	A	A	A	A	A
India	N	N	N	N	N	N	N	N
Italy	A	A	A	A	A	A	A	A
Japan	N	N	N	N	N	N	N	N
Malaysia	N	N	N	N	N	N	N	N
Netherlands	A	A	A	A	A	A	A	A
New Zealand	A	A	A	A	N	N	N	N
Philippines	N	N	N	N	N	N	N	N
Saudi Arabia	N	N	N	N	N	N	N	N
Thailand	N	N	N	N	N	N	N	N
Turkey	A	N	N	N	N	N	N	N
U.A.E.	Y	A	A	A	A	A	N	N
U.K.	A	A	A	A	A	A	A	A
U.S.S.R.	Y	Y	Y	Y	Y	Y	Y	Y
U.S.A.	A	N	N	N	N	N	N	N
Singapore	A	N	N	N	N	N	N	N
W. Germany	A	A	A	A	A	A	A	A
China	Y	Y	Y	Y	Y	Y	Y	Y

Table 3. Selected Countries in UN General Assembly Votes on East Timor.
Source: ETAN.

2. Analysis of UN Involvement in East Timor

Historically, the United Nations involvement in East Timor is to complete the process of decolonization that started some forty years ago. The process itself has gone through three time periods. First, the period of 1945-1975, the final Portuguese rule, which reached its crisis in 1975. The second was the 1975-1999 period when East Timor

was incorporated into the Republic of Indonesia. The last period is the transition to independence under United Nations administration.

a. The First Process of Decolonization, 1945-1975

The United Nations got involved in East Timor officially after Portugal joined the UN in 1955. Five years later, the General Assembly adopted a resolution of the Declaration on the Granting of Independence to Colonial Countries and People. Portugal was the target of this resolution. Thus, in 1960, the General Assembly placed East Timor on the international agenda

The Government of Portugal recognized the UN Charter on non-self-governing territories and Portugal also wanted to be rid quickly of its six colonies, including East Timor. However, colonial officials considered that East Timor was not viable as an independent state, and they even considered supporting the option of integration into Indonesia.⁷⁸ The Portugal Governor Lemos Pires, finally, withdrew from East Timor and neither transferred power nor completed the process of decolonization.

b. The Second Attempt of Decolonization, 1975-1999

From the point of view of the people of East Timor, the period after 1975 was called the new period of colonization. The UN thus called upon all states to respect the inalienable right of the people of East Timor through the resolution summarized in the previous section. The UN also called upon the Government of Indonesia to respond immediately to the UN General Assembly resolutions. However, realizing that many countries voted against or at least abstained from almost all resolutions, the Government of Indonesia decided to seek a different course of action and still felt the integration of

East Timor into the Republic was the best option. Therefore, the situation developed internationally and reached some negotiations between Indonesia and Portugal until they finally reached the agreement.

(1) Negotiations between Indonesia and Portugal. Based on the resolution 37/30 of 23 November 1982, both parties achieved a comprehensive settlement of the problem. Tripartite talks thus took place several times starting in 1982, 1992, 1994, and 1997 between Indonesia, Portugal, and sometimes with the representative of the people of East Timor under UN auspices, but East Timor remained an unresolved problem throughout the 1990s until finally President Habibie changed Indonesia's stance on East Timor as indicated in June 1998.⁷⁹ (This will be described also in the next chapter)

(2) The 5 May Agreement. The 5 May agreement was basically the fundamental shift in Indonesia's position on East Timor. In this agreement, Indonesia and Portugal under the United Nations set out the process for a popular consultation by ballot on whether the people of East Timor would accept or reject the proposed constitutional framework for autonomy. Indonesia and Portugal would agree to whatever the people of East Timor chose and agreed to transfer autonomy in East Timor to the United Nations in the transition period. However, in article 3 of the agreement, the Government of Indonesia was given the responsibility of maintaining peace and security before, during, and after the ballot.

⁷⁸ Dennis Shoesmith, The United Nations in East Timor, <http://www.ntu.edu.au/faculties/arts/etUNrole.htm>

⁷⁹ Ibid.

c. The UN and the Transitional Government

The year 1999 saw another new change in East Timorese history. As a consequence of the May 5 Agreement, the UN Security Council established the United Mission in East Timor (UNAMET) based on Resolution 1246, 11 June, 1999, which held the mandate from the UN to organize and conduct a popular consultation on autonomy within Indonesia or for Independence. On the polling day, the UNAMET was able to register 451, 792 voters, and 98 percent of those registered cast a vote. The result was a majority, or 78.5 percent voted for independence.

After the ballot, the Transitional Government then worked together with the United Nations Transitional Administration in East Timor (UNTAET) to establish the embryo of the new nation. Both institutions gradually set up the thirty-three members of the new Council. However, both institutions never asked the pro-integration's opinion on joining the reconciliation. About 200,000 people voted for integration into Indonesia. Therefore, they remained a source of resistance for this period.

D. SUMMARY OF ANALYSIS

As a result of the UN General Assembly resolutions from 1975 to 1982, it could be seen that Indonesia gained more support from the international community. Although Indonesia's occupation of East Timor was bound basically by two Security Council resolutions, 384 (22 December 1975), 389 (1976) and one General Assembly resolution 34 85 (22 December 1975), to facilitate East Timor's self determination, to withdraw its occupation forces, and to facilitate the role of the UN Secretary General to bring together all parties concerned to achieve the decolonization of the territory. However, Indonesia always ignored every single UN resolution. Knowing that many countries support

Indonesia in the UN vote for the resolutions, Jakarta then pushed itself to assure its supporters in eliminating East Timor from the UN agenda and full recognition of the integration of East Timor into Indonesia. With the support from major countries, Indonesia had almost attained its goals. Despite the security reasons, major countries took the position that Indonesia was important politically and economically. Nevertheless, the situation is now changing. The post-Cold War era shows that Indonesia is not important anymore, especially for western powers. Thus, the next chapter will try to describe how the Indonesian regime lost its power, the economic crisis, and more aspects that link to the East Timor case.

IV. THE INDONESIAN VIEW OF PROPAGANDA WAR IN EAST TIMOR: THE DILEMMA OF INTERVENTION

As explained in the previous chapter, with the support of Australia, the United States, and ASEAN at the time of heightened Cold War tension, the Indonesian military generals laid plans for East Timor's incorporation. Indonesia attempted to keep the conflict as low as possible. Initially, it was hoped that this might be finessed through an intelligence operation called the 'Komodo Operation.'⁸⁰ It was designed to fit the domestic political situation in East Timor in such a way that the Indonesian military would never have intervened unless East Timorese leaders 'invited' them to do so. Meanwhile the Indonesian military leaders were also denouncing FRETILIN as a Communist threat. Therefore, an integrated East Timor seemed to be the only solution, especially for security purposes.

Diplomatically, Jakarta had a long way to go to eliminate East Timor from the UN's agenda. From 1976 to 1982, the United Nations adopted resolutions each year demanding that Indonesian troops be withdrawn and give the right of self-determination to the people of East Timor. A series of talks between Indonesia and Portugal, under United Nations auspices, were arranged to find an internationally acceptable solution. However the discussion was never ended. Somehow, Indonesia was accusing Portugal of abandoning East Timor without restoring power to the local government or one of the party leaders. It was stated that Portugal delayed issuing the constitution of the final

⁸⁰ The existence of this operation, code named 'Operasi Komodo' or the Giant Lizard Operation, became known to The United States and Australian intelligence agencies before the year was out. Its aim was to bring about the integration of East Timor by whatever means necessary. Carey, p. 62.

Portuguese withdrawal until October 1978. Having an unclear situation, a civil war broke out among parties in East Timor. It was a dilemma for Indonesia on whether to get involved or not in an East Timor civil war. By September 1975, FRETILIN controlled all of East Timor except for a few villages close to the West Timor border. The brief civil war had cost some 3,000 Timorese lives, including the UDT and APODETI leaders,⁸¹ and forced thousands more to flee into West Timor.

After the Cold War ended, though the East Timor problem continued to simmer, it could not be settled as long as Suharto was in power. When B.J. Habibie took over after Suharto was forced to leave office in May 1998, he promised to reduce the number of troops in East Timor. Nevertheless, no one took Habibie seriously, as he was handpicked by Suharto to be his deputy. Additionally, following a series of negotiations, Habibie offered the option of independence to East Timor in January 1999, triggering a renewed outbreak of fighting in East Timor between pro-integrationists and pro-independence backers. This chapter, therefore, will analyze the process of international intervention in East Timor starting from the legal issue, humanitarian effort, Indonesia's diplomatic efforts in East Timor, political and economic crisis in Indonesia, and the domino effect of the East Timor crisis in Indonesia.

A. LEGAL ISSUES: INDEPENDENCE VERSUS INTEGRATION

It was clear that the 1975 Indonesian military intervention violated international law and the right of self-determination. The United Nations Security Council condemned the use of force in East Timor, and the General Assembly rejected Indonesia's annexation

⁸¹ An interview of eyewitnesses during the FRETILIN brutality in 1975, as converted to English, they said, "Ramos Horta was a key-person who planned the genocide in Ailue, Maubesi, and Same. A number of UDT and APODETI leaders were caught and murdered by the FRETILIN. Online <http://>

of East Timor under the various resolutions summarized in the previous chapter. However, many scholars argue that the United Nations is nearly powerless as an abstract entity or even as a representative of the world's nations. It can act, instead, only insofar as it is given authorization by the great powers.

As reported by Noam Chomsky, the United Nations has no standing peacekeeping forces and thus is dependent on finding countries willing to contribute troops for any particular mission. The organization suffers as well from an extreme shortage of funds because of the continual US refusal to pay its dues. The United States no doubt plays a key role in the UN Security Council. Some organs of the United Nations, such as the General Assembly or its bodies, are mostly Third World countries dealing with economic and social issues ever since the era of decolonization. Accordingly, US policy has been to undermine and marginalize the United Nations, which should have an important role in world affairs. U.S. policy and the policies of other major states severely limit the international organization. From the United States point of view, however, it serves as a convenient tool of its interest even when something goes wrong. Thus, the East Timor case is directly attributable to the refusal of the United States and other Western powers to deter the atrocities there over a period of a quarter century, yet the UN will probably take the blame.⁸²

- 1. The Act of Self-Determination**

- a. The UN Resolution 1514 (XV) of 14 December 1960***

In the post-World War II years, anti-colonialism spread through the world, and resolutions criticizing colonialism became commonplace in every UN meeting. In

www.abri.mil.id/ramos.htm

response, Portugal changed East Timor's status from a colony to an overseas province. However, the United Nations did not accept the change of status. Later, through UN resolution 1514 (XV) of 14 December 1960, the UN urged Portugal to let the East Timorese determine their own status, but Portugal never conducted a public vote on the subject until the crisis came in 1975. This also showed the powerlessness of the UN to enforce its own resolutions.

b. The Rome Memorandum

On the international front, the fact that civil war broke out after the Portuguese Governor abandoned East Timor without restoring order was ignored by the international community, except in Indonesia and Portugal. The Indonesian government suggested a meeting with Portuguese officials on the condition that neither East Timor nor the UN be involved in the negotiations. On November 3, 1975, Indonesia and Portugal issued a document known as the 'Rome Memorandum of Understanding.' In that memorandum, Indonesia acknowledged Portugal as East Timor's administering authority and urged the Portuguese to end the [civil war] fighting. However, FRETILIN refused to acknowledge the memorandum and chose to act as an independent. Thus, FRETILIN continued to control Dili along with the on-going civil war between parties.⁸³

c. The FRETILIN Declaration of Independent

The refusal of the Portuguese administration to return and the growing danger from Indonesia hastened the FRETILIN's decision to declare independence. The Democratic Republic of East Timor was proclaimed on November 28, 1975.⁸⁴

⁸² Jardine, *East Timor: Genocide in Paradise*, pp. 36-39.

⁸³ McGuinn, *East Timor: Island in Turmoil*, pp. 49-52.

⁸⁴ Jardine, *East Timor: Genocide in Paradise*, pp. 24-31.

FRETILIN's desperate move was intended to enable East Timor to issue a direct appeal to the international community for action by the United Nations to halt Indonesian intervention. However, FRETILIN's unilateral declaration of independence was rejected by both Portugal and Indonesia. Only a few former Portuguese colonies in Africa recognized independence. The rest of the world and the UN in particular never recognized FRETILIN's independence of East Timor.

d. Resistance and the 1999 Referendum

Knowing its forces were powerless compared with the Indonesian forces, FRETILIN then existed as a resistance to ABRI (Indonesian Armed Forces, now renamed TNI). It established an underground movement without an internationally recognized leader. While this situation was exploited by those opposing the Timorese people's right to self-determination, the perception of FILANTIL, the armed wing of FRETILIN, began to change in 1983 when a document published in Lisbon revealed that leadership had passed into the hands of one of the members of FRETILIN central committee, Jose Xanana Gusmao. Though the numbers kept dropping and Xanana was captured by the ABRI on November 20, 1992,⁸⁵ FILANTIL kept resisting the ABRI's movement and influencing East Timor people to demand their right of self-determination.

On May 5, 1999, Indonesia and Portugal signed an agreement under UN auspices to execute a referendum offering the choice of autonomy or independence. This happened after President Habibie surprisingly announced that a referendum was possible to decide the future of East Timor in January 1999. He had to do this to safeguard his presidency. With political and economic uncertainty, it was impossible for Indonesia to

hold onto East Timor. In addition, external pressure also continued to mount, blaming Indonesia for committing ‘wrong doing’ in East Timor. For the first time, the referendum on the self-determination of East Timor was held on August 30, 1999. The result was surprisingly 78.5 percent of the voters for independence.

2. The Act of Integration

a. Balibo Declaration

In responding to the FRETILIN declaration of independence, which was rejected by most of the international community, just two days after the FRETILIN declaration, the four other parties announced East Timor integration with Indonesia. The Declaration itself took place on November 30, 1975 in the town of Balibo, which became the Indonesian official document called the ‘Balibo Declaration of November 30, 1975.’

In that declaration, the four parties proclaimed that:

We the people of Portuguese Timor, who are represented by APODETI-Associacao Popular Democradca de Timor, UDT-Uniao Democratica de Timor, KOTA-Klibur Oan Timur Aswain, and the party of TRABALISTA, after a long and thorough consideration of the unilateral action of FRETILIN in making “Proclamation of Independence” for the territory of Portuguese Timor...[call for the reasons] In the name of the one God, and with the reasons given above, we respectfully declare the integration of all ex-Portuguese colonial areas in Timor into the Nation of Indonesia. This proclamation is the most truthful wish of the people of Portuguese Timor.⁸⁶

The FRETILIN in response declared war, and threatened to kill all other parties’ supporters. More than 3,000 men were believed to have been killed by the FRETILIN. This was the dilemma for the Indonesian military on whether to intervene or

⁸⁵ Carey and Bentley, *East Timor at the Cross Roads*, p. 249.

⁸⁶ Agreements and Documents on East Timor, the Jakarta Post, online: <http://www.thejakartapost.com:8890/agreement.htm>

not. This also showed the slow reaction of the international community, the UN in this case, to respond to the mass murders by FRETILIN.

b. East Timorese Petition

Fearing that civil war would break out in Indonesian West Timor, the Indonesian authority thus made a political statement by launching military intervention into East Timor on December 7, 1975. The government center in Dili then fell to the coalition forces who formed the Provisional Government of East Timor, chaired by Arnaldo dos Reis Araujo, and consisting of administration officials and regional representatives (tribal chiefs, monarchs, leaders of religious communities, and parties representatives). Together, they aimed to restore a working government in the region, absent since the Portuguese had left. The Provisional Government was charged with East Timor's administration pending a self-determination process.

During the integration campaign, Indonesia believed that an immediate referendum would be unrealistic and undemocratic due to over a 90 percent illiteracy rate among the East Timor people. The Government of Indonesia felt that it could not be expected to initialize proceedings until stability and widespread literacy was established. In addition, the people themselves were still recovering from an ongoing civil war. A referendum in such a potentially explosive situation would only lead to more violence. Surprisingly, on May 31, 1976, the newly created East Timor parliament issued the East Timorese Petition urging that the Government of Indonesia accept and formalize an immediate integration of East Timor with Indonesia, a follow up to the Balibo Declaration. However, Portugal never recognized this situation but the petition was accepted by the Indonesian government anyway.

c. The Law No. 7 of 1976

To formalize the petition, following the East Timorese Provisional Government meeting with the United Nations Secretary General, the Provisional Government then delivered a petition requesting a formal integration with Indonesia to President Suharto in Jakarta on June 7, 1976. This occasion was described by Suharto as a meeting of two siblings long separated by colonialism. He also asserted that integration between the two peoples needed to be carried out legally through due process. Therefore, the Government of Indonesia proposed a bill calling for East Timor's integration with Indonesia and the establishment of the province of East Timor. The bill was passed in the Indonesian parliament on July 15, 1976, and was formally accepted by the administration the following day. On July 17, Suharto signed Law No.7 of 1976 formalizing East Timor's integration into Indonesia as the 27th province.⁸⁷ This law would not change until President Habibie issued a statement giving the East Timorese a chance to be independent through a referendum held on August 30, 1999.

B. INDONESIA'S DIPLOMATIC EFFORT ON EAST TIMOR

As emphasized in the prologue of this chapter, Indonesia was trying to solve the East Timor problem as peacefully as possible through diplomatic effort by proposing the agreement. Talks between Indonesian and Portuguese delegations under UN auspices took place to find a reasonable solution to the East Timor long dispute. The underlying spirit of the agreement constituted an achievement in resolving the conflict. In 1986 and 1991 talks, the attempt to achieve a solution was sought through sending missions to East Timor followed by debates and the tabling of a draft resolution or decision in the United

⁸⁷ Ibid.

Nations General Assembly. This type of solution has been altered which was a major proposition or namely the concept of wide-ranging autonomy in East Timor that gave a new dimension to the solution of the question. This was brought to the negotiation table, and needed to be understood well because wide-ranging autonomy was a solution that would bring about a major change in the political structure in East Timor.

The debates took a long time since Portugal did not put the East Timor issue on its priority list in every international level meeting until 1982. However, Indonesia agreed to the appeal by the UN Secretary General, Mr. Javier Perez de Cuellar, to start a dialogue with Portugal under the general mandate of the Secretary General. The purpose was to find a peaceful, comprehensive, and internationally acceptable solution through dialogue rather than through the continuing debate in the General Assembly. In addition, this dialogue was also an Indonesian effort to seek the best solution from the international community. Although Portugal was concerned by the Indonesian conduct of human rights in East Timor, Portugal also felt the sense of guilt in abandoning East Timor after having held it for hundreds of years.⁸⁸

In an international context, in every on-going talk between Indonesia and Portugal, Indonesia always received support from some major countries and fellow ASEAN members. A cablegram published in *the New York Times* on January 28, 1976 had the United States ambassador to the UN, Daniel Moynihan, applauding the considerable progress made by US strategy at the UN toward basic foreign-policy goals. He dealt specifically with the General Assembly vote on East Timor in December 1976.

⁸⁸ Ibid

The United States President, Ronald Reagan, used this basic idea during his visit to Jakarta in April 1986. He claimed that, 'No nation has pursued the goal of independence in a more responsible manner than Indonesia,' while Secretary of State Shultz claimed about East Timor, 'There has been a considerable amount of progress over the years'. From then on, American officials tried to influence international opinion to consider East Timor as a bilateral issue between Indonesia and Portugal rather than a case of decolonization: 'East Timor is an issue which should be solved between Portugal and Indonesia, without outside interference,' concluded the United States Ambassador on a visit to Lisbon in February 1987.⁸⁹ Thus, Suharto was willing to resolve the dispute with the Portuguese Government because he realized he was not alone.

From the 1980s until the end of the 1990s, Indonesia received more support from many countries. In such a scenario, Portugal reluctantly accepted de facto integration of East Timor into Indonesia. However, the Portuguese Government would conclude an agreement with Indonesia, which accepted the *fait accompli*, but secured guarantees from the military to respect human rights, permit religious freedom, and preserve East Timor's cultural identity. This would then be supported by other nations, especially the European Community (EC), who would join the majority of governments in removing the East Timor issue from the UN agenda.⁹⁰

C. SUHARTO'S REGIME LOST LEGITIMACY, ECONOMIC CRISIS AND CIVIL-MILITARY MATTERS

It was inevitable that the dominant issue in Indonesian politics in Indonesia in the early 1990s would be who would succeed Suharto as president. In other Southeast Asian

⁸⁹ Taylor, *East Timor: The Price of Freedom*, pp. 169-171.

states, a change of presidency might not be as significant as in Indonesia. Suharto and his loyalists have exercised a strict and tight system of control over Indonesian politics for about 25 years. Militarily, Suharto has skillfully played off one armed forces faction against another in maintaining his rule. Politically, cadres that reshaped political parties in the military image while at the same time restructuring the apparatus of the government to ensure a majority for the military. Economically, the president had similarly built up a system of centralized control in which his family and his loyalists played a predominant role. Major strategic industries in areas such as oil, gas, communications, and plantations were run by state companies controlled by Suharto loyalists. Alongside these companies were private companies owned by the Suharto family or its close associates. Therefore, when Suharto fell, the enterprises collapsed as well, and many of his associates are now jailed on charges of corruption, collusion, and nepotism.

1. Suharto and the Military

During the 32 years of President Suharto's autocratic rule, the military and civil arms of the government were so inextricably linked as to be nearly indistinguishable. The military enjoyed patronage and protection from President Suharto, himself a former general. It also played a dominant political role under a doctrine known as "dual function." Now however, the military finds itself answering to a democratically elected civilian government. While everyone seems to agree on the need for military reform, no one seems quite sure of how to go about it.

⁹⁰ Ibid, pp. 187-188.

During the military campaign in East Timor, Suharto used a common propaganda strategy, in which he used military generals to exercise his propaganda strategy. As identified by Matsuno in the 'East Timor Question' book, there were four basic analyses of Indonesian propaganda about East Timor: Communist phobia, paternalism and an attitude of 'they don't know what they are doing,' insistence on 'development' rather than self-determination, and preoccupation with the 'disintegration' of Indonesia. From all of this propaganda, communist phobia was a central theme used by the Indonesian Central Intelligence Board (BAKIN or Badan Koordinasi Intelijen Indonesia) and the elements of Indonesian Armed Forces to launch the Komodo Operation.⁹¹

During his more than 30 years of authoritarian rule, former President Suharto gave the military great liberty to act, eventually allowing it to become the single most powerful group in national politics. No political party, civil organization or institution dared to challenge the military for fear of repression. However, with the end of the Suharto era, the military's dominance is now being questioned, especially the doctrine of "dwi-fungsi" - or dual-functions. Under this doctrine, the military had been permitted to involve itself in all aspects of Indonesia's domestic political affairs, from the smallest village to the cabinet and the parliament.

As a defense analyst at the Center for Strategic and International Studies in Jakarta, Rizal Sukma, says that during the Suharto years dwi-fungsi had always been part of the Indonesian army's military doctrine, but he says it was not as far-reaching as some people believed. The military would engage in non-military activities, he says, but not

⁹¹ Paul Hainsworth and Stephen McCloskey, *The East Timor Question: The Struggle for Independence from Indonesia*, pp. 69-82.

necessarily in political activities. He then adds, *dwi-fungsi* as an official doctrine has now been abandoned, but that does not mean that the military's power is greatly diminished.⁹²

Since Abdurrahman Wahid was elected president in 1999, Indonesia has entered a new era of civilian government, but many people are now debating what role the military will have in the country's new political environment. Many analysts argue that in reality, the military is still powerful, especially because civilians are not yet in firm control of the country. In this situation, it will be very difficult to establish a civilian supremacy vis-à-vis the military that has been in politics since 1945.

The military is now under intense domestic and international scrutiny over past human rights abuses. A government-appointed panel has accused General Wiranto, the former Chief of Armed Forces, and other top commanders of complicity in the violence that erupted in East Timor following the August 1999 referendum in the territory for independence. However, according to the National Committee of Human Rights (KOMNAS HAM) for the East Timor case, General Wiranto is not on the list of their investigation. This case shows that the military is still an 'untouchable' institution.⁹³

2. Economic Crisis Link to the East Timor Case

In Indonesia's view, East Timor's disintegration tends to be the result of the on-going economic crisis in the region. As described by Hadi Soesastro, President Suharto showed a great reluctance to implement the agreement with the IMF, which increased the uncertainty in the markets about Indonesia's ability to overcome the crisis. Finally, Suharto was forced to resign in April 1998. Many economic analysts argued that the

⁹² Sukma and Kristiadi, *Hubungan Sipil Militer*, pp. 35-43

⁹³ Executive Summary Report on the investigation of human rights violations in East Timor, ETAN,

disintegration of Indonesia is the main factor in the security structure of Indonesia, or even the whole region. Therefore, the separation of East Timor has aroused similar sentiments in other parts of Indonesia, especially in terms of economic revenues between the central and local or province governments (described later in the domino effect subsection).⁹⁴

With the Suharto regime weakened, the Portuguese government recognized new opportunities. In 1997, Portugal began an intense campaign through the United Nations, in collaboration with the leadership of the East Timorese independence movements, to get the East Timor issue back on the agenda. Recognizing Portuguese and European pressure, the UN thus appointed a special envoy Jamsheed Marker for East Timor to organize talks between Indonesia and Portugal. In April 1998, with the Suharto regime looking increasingly down, the National Council for Timor Resistance (CNRT) was formed at a congress in Portugal, bringing together the rival organizations and electing Xanana Gusmao as their supreme leader, even though he was still in an Indonesian jail since he was captured by the Indonesian military for violating the Indonesian subversion law.

With the end of the Cold War, the international situation was also changing. The United States, and the major countries in particular, discovered that the Suharto regime no longer served its interests as it had in the past. Especially, the domination of the Indonesian economy by the Suharto family and those most closely associated with the military was becoming an obstacle to the activities of US corporations. Therefore, the

online <http://etan.org/news/2000a/3exec.htm>

⁹⁴ Hadi Soesastro, *Implication of Indonesia's crisis for the Asia Pacific Region*, online

Asian economic crisis of 1997 provided the opportunity for the United States through the IMF to 'open up' the Indonesian economy. This situation has aroused economic sentiment in Asia by accusing the United States backing of the IMF for interfering too much in internal affairs. Many foreign analysts argued that this was the end of Suharto 'empire' and power. The Indonesian regime feared that international pressure could cause disintegration, especially when the UN firmly kept its resolution on East Timor's self-determination. Suharto's successor, President Habibie, thus had no choice but to give the East Timor people a chance to decide their future.⁹⁵

Economically, the result of the East Timor referendum causes one to wonder given the amount of development assistance Indonesia provided East Timor. Before being incorporated into Indonesia, the East Timor economic outlook was more backward than when Indonesia gained independence in 1945. The infrastructure was virtually nonexistent. Before the 1999 referendum, the largest employer was the government. East Timor cannot boast of any natural resources, except coffee and a few agriculture products. An outlook of the East Timor economy can be seen in Table 4.

D. THE DOMINO EFFECT OF THE EAST TIMOR CRISIS IN INDONESIA

Before the East Timor referendum, the Government of Indonesia was deeply concerned about the 'domino effect' of East Timor's separation. Although most Indonesians think an independent East Timor is not a big loss, it would have a great impact. They feel the East Timor vote for independence will encourage separatist movements in Indonesia and even other regions. Many scholars argue that the result of

<http://www.pacific.net.id/pakar/hadisusastro/000508.htm>

⁹⁵ Nick Beams, *The Western Powers and East Timor: A History of maneuver and intrigue.*

	Before integration	Since Integration
Population	674.550 (1972 Census)	783.086 (1994 Census)
GDP Per capita	Less than US\$ 40	US\$ 398 (1996)
Govt. Expenditure	Unknown	US\$ 59.7 million (1996)
School	2 Elementary, 2 Middle school 1 High School	30 Kindergartens, 684 Elementary, 109 Junior High Schools, 54 High Schools, 4 Colleges
Hospital	14 clinics	11 Hospitals, 332 village health centers
Road	12.5 miles (paved)	1,022 miles (asphalted)

Table 4. East Timor's Infrastructure and Macroeconomic Outlook.

Source: Asia Week⁹⁶

Independence for East Timor will spark a sentiment from other provinces and the neighboring countries. There is a concern that provinces such Aceh and Irian Jaya (west New Guinea) will capitalize on the precedent and attempt to follow suit. Internally after the East Timor referendum, local violence, for various reasons such as ethnic diversity, religious, insurgents backed by foreign aid, or even merely criminal, has broken out all over the archipelago not only in Aceh and Irian Jaya but also in Borneo, Moluccas, and some of the other islands, leaving hundreds dead, thousands fleeing, with the government at a loss, to be explained later in the next chapter. It also causes Indonesian neighbor's to worry about ethnic conflict in their country, which has now happened in Malaysia, the

<http://www.wsws.org/articles/1999/oct1999/tim-o01.shtml>

⁹⁶ Data also taken from the Indonesian Department of Foreign Affairs and the UN.

Philippines, Australia, and especially those who have minorities and refugees in their countries.⁹⁷

On the contrary, Donald Emmerson, a professor of political science and Southeast Asian studies at the University of Wisconsin-Madison, has a different opinion about 'Balkanization' in Indonesia. He argued that, "Indonesia is not Yugoslavia...and B.J. Habibie is not Slobodan Milosevic." Emmerson sees several key differences between the two countries. Despite its diversity, Indonesia does not have a long history of ethnic hatred as seen in the Balkans. In short, he emphasizes not to underestimate the strength of Indonesian identity. As described in Chapter I, Emmerson also thinks that Indonesia's national identity came from a common heritage and history.⁹⁸

Many scholars argue that troubles in Indonesian's provinces are predictable reactions from the sudden lifting of a repressive regime. These are negative results of something that is, overall, a positive development: the democratization of Indonesia. Experts say that cases of pure ethnic hatred usually are associated with economic distinctions and the collapse of the economy.⁹⁹

1. Indonesia, the UN and the NGOs

In many parts of Asia, the non-governmental organizations (NGOs) play important roles in raising the profile of the environment both among government elites and the general populace. They transmit information, educate, monitor the implementation of laws, and challenge official findings. In Asia, unlike in the United

⁹⁷ Clifford Geertz, *Indonesia: Starting Over*, Archives online <http://www.nybooks.com/nyrev/WWWaredisplay.cgi?20000511022F@p2>

⁹⁸ Jeffrey Benner, *The Domino Effect*, http://www.motherjones.com/east_timor

⁹⁹ Huntington, *The Clash of Civilizations*, pp. 21-29.

States and Europe, the NGOs are less institutionalized. Some NGOs even are funded by the government to socialize government programs. The Indonesian Environment Ministry, for example, has called on NGOs to supplement its weak capacity and help mobilize public support for government programs.¹⁰⁰ In short, there are a lot of things that cannot be done by the government, and only by the NGOs.

Many scholars argue that an NGO's actions are also a market and East Timor is one of their markets. One cannot hope to understand the NGOs' reactions and policies without taking into account their business interests, their need to promote their image, their communication requirements, and the market shares that they have to win and maintain. The NGOs thus maintain their relationship with the public and the donors. Usually they cooperate with their technical expertise in the field with journalists, and independent foundations. Sometimes, the overlap between the donors becomes problematic. Being the bearer of bad tidings always entails the risk of being identified with those bad things.¹⁰¹

In the case of East Timor, the UN humanitarian agencies and the NGOs are working together to create a space within which the spirit of humanitarian action can be preserved. However, when individual relations between relief workers and the assisted populations are orchestrated by the authority of the UNTAET (the United Nations Transition Administration in East Timor), that humanitarian space disappears. It can be seen that, since the referendum, there is no particular interest from Indonesian NGOs to get involved in the East Timor transition because it is now becoming an international

¹⁰⁰ James Shinn, *Fire Across the Water: Transitional Problems in Asia*, pp. 57-59.

¹⁰¹ Moore, *Hard Choices*, pp. 189-190.

commodity. As reported proudly by Hainsworth and McCloskey, the revelation of the truth about East Timor's plight was an instance of media, voluntary agencies, and NGOs¹⁰² but, in fact, it becomes an expensive commodity for many publications from which the NGOs are paid. From the Indonesian standpoint, the good NGOs are those who are really independent as organizations that can correct and work together with the authority, or the UN agencies, to solve the problem, rather than to exploit it as a market commodity.

2. Indonesia and the Human Rights Watchers

On October 19, 1999, the Indonesian People's Consultative Assembly voted to accept the results of the August 30 referendum in which close to 80 percent of East Timor's population had voted to separate from Indonesia. East Timor's year of freedom from Indonesia was largely devoted to recovery and reconstruction from the post-referendum violence between the pro-independence and the pro-integration groups that left the entire country in ruin. As they rebuilt, the East Timorese and UNTAET had to decide on how to handle the past abuses, how to prevent new ones, and how to build basic institutions to ensure the protection of human rights. Progress was slow, especially in facing the challenge from the Asian states for being too close to the Western world. The Asian concept of human rights had been proposed in the 1993 Vienna World Conference on Human Rights by several Asian governments, notably Singapore, China, Indonesia, and Malaysia, and set forth the so called "Asian concept of human rights," in which Asians place greater value on the harmony of the community than individual freedoms. They argued that interpretation of international standards on human rights should be left

¹⁰² Hainsworth and McCloskey, *The East Timor Question*, pp. 31-34.

up to individual states to determine in accordance with their history, culture, political system, and level of economic development.¹⁰³

For Asian countries, the exercise of individual rights will emerge naturally from economic development. In addition, stability and order will be more highly valued than the protection of individual rights. The view of Indonesian officials echoes the Chinese position that most of the Asian countries also happen to be at the level of development which necessitates the accord of priority to the fulfillment of the most basic rights of peoples. Indonesians thus express this situation which was recognized by the East Timorese when abandoned by the Portuguese in 1975. How can one express one's opinions if one is illiterate, how can one really enjoy the right to property if one lives well below the poverty line, and how can one join in labor associations if one is unemployed? However, the situation was changing along with the end of the Cold War. Fearing economic sanctions from the major countries, Indonesia is now forced to apply the idea of the 'Western' style of human rights, especially in the East Timor case. One sanction which has been dropped against Indonesia is the military embargo from the major countries and the second is the delay of the amount of dollars from the donor countries through the IMF. These two 'Western' style embargoes are really associated with the crisis in the region recently.¹⁰⁴

To conclude this chapter, the recent news shows that the Indonesian Human Rights Commission (KOMNAS HAM) has announced several names of those suspected in the involvement in post referendum East Timor, including some military officers,

¹⁰³ Shinn, *Fires Across the Water*, pp. 124-125.

¹⁰⁴ Ibid, pp. 124-125.

former local government and leaders of militias. This will show to the international community the basic step that the new government of Indonesia is trying to take to accommodate the international demand on human rights abuses in East Timor. This also challenges the region regarding the concept of Asian human rights. Finally, to understand why the East Timor conflict differs from others, one should analyze and compare it with others, which will be described later in the next chapter.

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V. HOW THE EAST TIMOR CONFLICT DIFFERS FROM OTHERS

So far, the debate has been mired in a dispute for over twenty-three years to define the complicated situation and a solution to the East Timor conflict. To understand how complex the situation is, one must learn from the background of the conflict. A historian identified 1975 as the plausible apex of Communism's power in the modern world and he classified the Indonesia-East Timor dispute as an ideological conflict. This classification is very wrong, because Indonesia is a non-aligned state, which means the state was not committed to support only one block. There are several key differences between the Indonesia-East Timor dispute and conflicts elsewhere such as the conflicts in Korea, Vietnam, and Yugoslavia. It is also significant to understand that Indonesia is not, and has never been a communist state. Indonesia, while diverse, does not have a long history of ethnic conflicts among groups. The Indonesians were unified in their resistance and fought together to liberate their nation from Dutch imperialism. Thus, the ethnic conflict in Rwanda, Kosovo, and anywhere else can be considered incomparable with the East Timor case. The intent of this chapter is to analyze the different situation of the Indonesia-East Timor conflict with others. This chapter will start by the lessons learned from the East Timor case, for both Indonesia and the international community. It will then focus on the differences among conflict domestically and internationally. It will then close with an analysis of the current situation in order to provide the reader with an understanding of the events and players involved in building the future East Timor nation.

A. LESSONS FROM THE EAST TIMOR CRISIS

The tiny island sharing a border with Indonesian West Timor as seen in Figure 2 is now becoming a new sovereignty. The many remaining questions are not answered yet such as: does the referendum for East Timor solve the problem? For Indonesia, the autonomy or independence referendum set a potentially dangerous precedent for the future unity of the country. Indonesia is the forth-largest 'archipelago' nation on earth in population and it also is one of the most important economies in the Asia-Pacific region. However, its newly elected president, Abdurrahman Wahid, faces some serious problems in the wake of the East Timor conflict. In the province of Aceh, a growing separatist movement is agitating for independence, and is demanding that a referendum be held on the issue. Even though Donald K. Emmerson has a different argument about disintegration in Indonesia, if Aceh's people also vote to leave Indonesia, along with East Timor, it could trigger the disintegration of the nation.



Figure 2. Map of East Timor after the 1999 Referendum.
From Ref: [Virtual Information Center]

1. Implication for Indonesia

Research has been done to fulfill the requirement of the unresolved problem, especially from the Indonesian perspective, by interviewing randomly, both directly or by using questionnaires, some Indonesian scholars, military generals, professors, members of parliament, members of NGOs and journalists who have expertise in the East Timor case. Most of them regret the loss of East Timor from Indonesia. They also said that unless the transitional president, Professor Habibie, gave the East Timorese an independence option, East Timor still would be one of Indonesia's provinces right now, though eventually they encourage the people of Indonesia to respect the East Timorese decision by letting them go. When they come to the question of 'what lesson can be learned from the East Timor case?' almost all of them have the same thought by arguing that the East Timor conflict is a good case both for Indonesia, Portugal and the international community and should never happen again in the future. The following paragraphs will summarize their responses when asked about the East Timor case before and after the referendum in August 1999.

As a member of the Indonesian parliament, Mangara Siahaan¹⁰⁵ described how the process of 'losing' East Timor from Indonesia was brought up in every discussion in the parliament. He then explained that, in January 1999, the transitional president, Habibie, proposed asking the East Timorese whether they wished to remain with Indonesia, and if they wanted out, Habibie would advise the People's Consultative Assembly to cancel its 1978 resolution and let them go. According to Siahaan, several

¹⁰⁵ Mangara Siahaan, member of Indonesian House of Representative from the reformed Indonesian Democracy Party led by Megawati Sukarnoputri (the recent Vice-President), interviewed on April 16, 2001 during his official visit to Washington D.C.

meetings had been set up in the House of Representatives including hearing from the Indonesian negotiators to the peace talks between Indonesia and Portugal under UN auspices, among them Indonesian Foreign Minister Ali Alatas, Ambassador Lopez da Cruz, and East Timorese representatives, to understand what the latest situation in terms of diplomatic efforts. Though not yet decided, the ‘green light’ had been signaled by the UN and Portugal for Indonesia to enhance law and order in East Timor with some conditions: (1) Indonesia should secure East Timor’s political culture, (2) Indonesia should protect East Timorese religious practices, and (3) Indonesia should respect human rights in East Timor. In return, Indonesia guaranteed that the process of restoring order in East Timor would be completed within 5 to 10 years. However, “a wish is a wish,” President Habibie thought differently. He was very sure that the East Timorese would stay with Indonesia. Therefore, without any further discussion with the parliament nor with the Indonesian military (the TNI), Habibie decided to give East Timorese an independence option and forced the Indonesian Tripartite negotiators to sign the 5 May, 1999 agreement that allowed East Timorese to decide their future on a referendum three months later.

Another contributor to the East Timor analysis is Mohammad Fajrul Falaakh,¹⁰⁶ a constitutional law professor from the Gajah Mada University Indonesia. Unlike Mangara Siahaan, Fajrul Falaakh thought about East Timor from the point of view of law. “To build a new state, East Timorese should create their own law and order under the new

¹⁰⁶ Mohammad Fajrul Falaakh, Professor of constitutional law at Gajah Mada University Indonesia, he is also member of the executive committee of the Nahdatul Ulama or NU (the biggest Islam organization in Indonesia where President Aburrahman Wahid came from). He was interviewed during his official visit to the Naval Postgraduate School on April 18, 2001.

constitution, which is uneasy for them,” he explained. So far, Indonesia has done very little after the referendum regarding Indonesia itself and it is still facing its internal problems. However, Falaakh then added,

the new government under President Abdurrahman Wahid should prioritize bilateral relationship with the new East Timor state by supporting East Timorese leaders to build their new country and to show the international community that Indonesians are not ‘barbarians,’ we know our responsibilities.

This was described also by East Timorese independence leader Xanana Gusmao during his visit to Jakarta on April 19, 2001. He said at the press conference that Indonesia is so important for the East Timorese, though Indonesia is always blamed by the East Timorese. He then closed the conference by saying, “We the people of East Timor will never be far away from Indonesia.”¹⁰⁷

From a political and military overview, several points have been contributed by Rosadi Brataadisuria, which focused on the lessons learned from the East Timor case. As a military career officer and retired with the rank of major general, Rosadi has seen many tours of duty in East Timor and he was an Army lieutenant colonel when he was dispatched for the first time to East Timor in 1976 as an intelligence analysis officer. “The Indonesian intervention in East Timor in the 1970s was purely a humanitarian intervention primarily, not a military intervention.” He truly explained when interviewed by phone.

Indonesia sent unarmed volunteers to help East Timorese suffering from the on going civil war in 1975...but public opinion was biased by Australian media, saying that five Australian journalists were killed by

¹⁰⁷ Xanana Gusmao, *Timtim tak Bisa Hidup Tanpa Indonesia* (East Timor never existed without Indonesia), *Media Indonesia*, April 21, 2001.

ABRI [Indonesian military forces]. In fact, they were armed and supported by the FRETILIN to push Indonesian volunteers out of East Timor.

The following are his arguments about significant lessons learned for Indonesia from the East Timor case:

- Without political support and the ability of inter-government diplomacy, military intervention is useless and it cannot stand alone because military, politics, and diplomacy support each other. Thus, East Timor was a good example to address this situation.
- In terms of international relations, there is nothing such a as long lasting ally or 'there is nothing for free.' Indonesia was enjoying the support from its 'Cold War' Western allies when occupying East Timor. However, their support could be changed once they shift their interests.
- The Indonesian government spent a lot to build up East Timor, but it was only physically, not mentally. No matter how many dollars Indonesia spent in East Timor, somehow even more than other provinces so far, if it was not what the East Timorese needed, that amount of dollars did not make any sense.
- In terms of human rights, Indonesia should learn from the East Timor case in order to achieve peace and order internally, especially for the TNI (Indonesian military). Eventually, the global politics promoted by some major countries like the United States and its allies will hit the region including Indonesia. Democracy and human rights are their main concern, though Indonesia is a resource rich country, it should not ignore their concern.
- There are many East Timorese who chose to stay with Indonesia. Some of them are now unhappy and became members of militia-armed wing because they were rejected by the East Timor's transitional government. Therefore the UN, Indonesia, and East Timor should work together to achieve the reconciliation peacefully between parties who have fought for whatever reason, especially between the pro-independent and the pro-integration groups.¹⁰⁸

Though there are still many lessons that can be learned from the the East Timor case, those descriptions above can be considered to represent all aspects of the Indonesian

¹⁰⁸ Rosadi Brataadisuria, a retired army major general and former Assistance to Minister of Politics and Defense Coordinator, Highlighted information of East Timor case, interviewed by phone on April 26, 2001.

failure in East Timor. Nevertheless, the broad response in Indonesia to the East Timor crisis was one of belligerent nationalism, of offence at having their state 'insulted,' of accusations of interference in domestic affairs and of ignoring the pride of the Indonesian people and not adequately appreciating their own long suffering, including struggling from colonialism in 1945-49 and dealing with dangerous communist and separatist movements. However, for many outsiders, and even many Indonesians, it was difficult to feel sympathy for these responses. Certainly, the TNI (Indonesian military) and its policies in East Timor did not represent the Indonesian people, but they did operate under the red and white flag. Therefore, when this flag was burned, especially in Australia, many Indonesians were deeply upset. This could raise nationalism among Indonesians.

2. East Timor: The Post Referendum

The tragic events in East Timor since the territory's vote on self determination on August 30, 1999 have raised a number of critical questions about the process agreed to by Indonesia, Portugal, and the United Nations on May 5, 1999. Some issues include the role and function of the UN, the behavior of the Indonesian military and political institutions and the processes of development. Thus, this section will try to examine what would be good for the East Timorese to build their nation.

As reported recently by the United Nations Transitional Administration in East Timor [UNTAET], the people of the 'non-self government' of East Timor are now exercising substantial governmental powers through the all-Timorese National Council, the East Timorese-majority cabinet and the all-Timorese Judiciary. On 19 October 2000, Jose Ramos Horta was sworn in as a cabinet member for foreign affairs. The East Timorese now hold five of the nine cabinet portfolios, with the other four being internal

administration, infrastructure, economic affairs and social affairs. At the first session, the National Council elected Xanana Gusmao, president of the National Council of Timorese Resistance (CNRT), as a speaker and he was also convinced to be the candidate for president of the new state. On December 12, 2000, he outlined East Timor's political agenda. It was expected that the Constituent Assembly would become the first legislature of the independent state. However, on March 28, 2001, Gusmao withdrew from the National Council that is preparing the groundwork for August's election. He said that internal bickering was standing in the way of the move to independence. Thus "East Timor independence will take time," said Gusmao during his visit to Jakarta.¹⁰⁹

Economically, the lack of natural resources is one of the major problems faced by the East Timorese leaders. The East Timor economy mainly depends on donor countries and economic development in the region. There are criticisms that aid money, promised from the developed world for reconstruction, is slow in materializing, whereas, in effect, nothing less than a new 'Marshall Plan'¹¹⁰ is needed if the territory was to be in a position to redress the legacy of the Indonesian occupation. Cooperation with Indonesia, therefore, remains significant to avoid economic shock in East Timor.

For the East Timorese, the struggle for independence from Indonesia has not yet ended. This was also stressed by the East Timorese leader Gusmao that independence of East Timor should be followed by other phases. The eradication of illiteracy and the construction of a prosperous society with a modern and self-sufficient economy will then be the other main goals. Furthermore, the objective of the struggle for independence is to

¹⁰⁹ Jonathan Thatcher, Asia News, Friday April 20, 2001, available [online] <http://sg.news.yahoo.com/010420/3/nchx.html>

build the state of Timor Lorosae, the East Timorese name for their new state, that fights for peace, democracy, and prosperity for all, regardless of political or religious conviction, race, color or social and cultural origin. Should the East Timorese fail to do this, East Timor will be increasingly backward.¹¹¹

3. The UN and Wahid's Government

In September 1999, a United Nations peacekeeping mission (INTERFET, International Force in East Timor) was dispatched to East Timor under the leadership and command of Australia to protect the Timorese from pro-integration militias seeking to gain control. The militias had been attacking refugee camps and running propaganda campaigns to prevent pro-independence Timorese from remaining in East Timor. The Australians who led INTERFET mission remained until February 2000, when the United Nations Assistance Mission (UNAMET) replaced INTERFET, a force organized by the UN but still led by the Australians to maintain peace and assist with East Timor's transition to independence.¹¹²

On October 25, 1999, the UN Security Council had, actually, approved UN Transitional Administration in East Timor (UNTAET)'s mandate in Resolution 1272 of 1999. UNTAET planned to replace all pre-existing authorities in the territory. Nevertheless, by the time UNTAET began to deploy in November 1999, there were conditions for success that are rarely available to peace missions since the belligerent power had completely withdrawn. Though UNTAET had failed to anticipate and prevent after ballot chaos, the local population openly welcomed the UN.

¹¹⁰ Hainsworth and McCloskey, *The East Timor Question*, pp. 208-209.

¹¹¹ Damien Kingsbury, *Guns and Ballot Boxes: East Timor's Vote for Independence*, p. 2.

From the UN point of view, Resolution 1272 of 1999 became the instrument for bestowing sovereignty over East Timor to the UN, but the problem was rooted in the circumstances of the UNTAET's inception. On October 19, 1999, CNRT leader Gusmao forwarded the UN proposals for a transitional administration, outlining a Timorese role in the form of a Transitional Council. In retrospect, Gusmao's model for Timorese involvement was relatively modest, but the UN ignored it altogether. Therefore, Gusmao and the CNRT publicly expressed their frustration with the lack of communication from the UNTAET. This was somehow the reason why Gusmao resigned from the National Council and this also showed the authoritarian attitude of the UNTAET.¹¹³

As witnessed in December 1999, President Abdurrahman Wahid proposed transforming Indonesia into a group of federated states where a collection of relatively autonomous states would be organized around a central government in Jakarta. However, it was opposed by the party that has the largest presence in the legislature (the vice president's party) and the TNI. In the mind of "Gusdur" (Wahid's nickname), it would be unfair not to let Aceh have a referendum also. Wahid's comment shocked people by seeming to endorse the domino theory. However, Wahid soon explained that in the referendum he envisioned, the Aceh people would be allowed to decide only whether to apply Islamic laws inside their province, not whether to withdraw from the republic.

Although the Wahid administration has allowed East Timor independence, there are still a number of anti-independence militia seeking to reoccupy East Timor that according to the UNTAET were supported by the TNI. The Commander of TNI General

¹¹² Ibid, pp. 119-121.

¹¹³ Jarat Chopra, *The UN's Kingdom of East Timor*, Survival vol. 42, No.3, Autumn 2000, pp. 27-39.

Wiranto publicly denied it by saying that they [militias] used TNI's uniform because some of them were ex-East Timorese TNI and they were beyond the TNI's control. However, the September 6, 2000 murder of three UN aid workers in Indonesian West Timor, in which one of them was an American, forced the United States to consider possible economic sanctions against Indonesia if they fail to disarm and control the militia in East Timor and guarantee the safe return of all East Timor refugees back to East Timor. Shortly after the murders, Secretary of Defense William Cohen visited Indonesia and issued the warning of possible economic sanctions if Indonesia did not gain control of the militia causing the violence in Timor. President Wahid was in UN headquarters when the murders happened. He took immediate action by ordering the head of the Indonesian civil police to arrest all militia leaders.

It is also significant to know that, until now, the UN mission in East Timor has been there for almost three years. So far, little has been done in East Timor. As reported currently, among the East Timorese, there has been frustration over the failure of the UNTAET to involve more local people in drawing up a comprehensive blueprint of what they want their new nation to be. The UN mandate to the UNTAET is to hand over security responsibility to the new East Timor defense force as soon as they are ready. However, the withdrawal of UN troops removes the buffer between the long time enemies, the pro-integration and the pro-independence, likely leading to a renewal of fighting and a cross border war. Thus, there is a tendency that the UN still needs to stay longer to accomplish its mission.

B. THE SECESSIONIST THREAT: ACEH, IRIAN JAYA, AND MOLUCCAS

Among the problems facing the post-Suharto transition to democracy is the heightened expression of discontent in some of its regions including Aceh, the Moluccas and the western half of the island of New Guinea, called Irian Jaya by the Indonesians, especially after East Timor's ballot in 1999. Responses expected or required from Jakarta to this state of affairs range from proposals for significant regional autonomy to secession or independence. Parallels are frequently drawn between the situation in Irian Jaya, or West New Guinea and East Timor. The following paragraphs thus will show the different conflict between one and another.

1. Aceh

Aceh, located on the northern tip of Sumatra, is considered one of Indonesia's most 'troubled areas' along with Irian Jaya. Unlike East Timor, Aceh was one of the earliest supporters of the Republic of Indonesia. Nevertheless, because of political mishandling by Jakarta, the province soon turned against the central government. Trouble began when the central government incorporated Aceh into the province of North Sumatra, reducing its status from a province to regency (bigger than district) in early 1953. The trouble lasted until 1959 when the central government promised to give the province a special status with autonomy in religious and customary laws.

Recently, separatists who sought to establish an independent Islam state, which violated the 1945 Constitution, in the Special Region of Aceh, continued unrest in portions of the region. Many Acehnese perceived themselves as disadvantaged in Aceh's major industrial development projects because income flowed out of the region to the center, and outsiders were perceived as receiving better employment opportunities and

the economic benefits of industrialization than the Acehnese residents. The Separatists, which called themselves the Free Aceh Movement (GAM, Gerakan Aceh Merdeka), were supported by some of the countries where their leaders now live¹¹⁴

2. Irian Jaya (the West New Guinea)

The resignation of President Suharto in May 1998, and the events that followed it, acted as a catalyst to opponents of Indonesian rule in Irian Jaya, which resulted in an upsurge in incidents between locals and outsiders. Jakarta felt that, without foreign aid, locals would not react so aggressively. President Habibie responded with a willingness to apologize for human rights violations but did little in practice and the incidents continued. Following the election of Abdurrahman Wahid as President in October 1999, some concessions to political expression were made, from a change to the territory's name to West Papua followed by giving permission to hold a Papuan Congress to discuss the future of the territory. This, at best, greatly embarrassed President Wahid and Indonesia, and at worst, could trigger a cycle not dissimilar to the one that unfolded in East Timor. This was also for the first time since 1963 that Indonesia has not countenanced any suggestion of discussion about the status of Irian Jaya other than as a part of the Republic of Indonesia.

Some scholars argued that the Irian Jaya case is just the same illustration with East Timor. In fact the two territories are very different: Indonesia has a claim in its law to Irian Jaya that it did not have with East Timor: Irian Jaya was fully recognized as part of the Republic of Indonesia and it is part of Dutch territory, while East Timor was not.

¹¹⁴ Free Aceh Movement, Intelligence Resource Program, available [online] <http://www.fas.org/irp/world/para/aceh.htm>

Therefore, there is no question that Indonesia would approve the independence for Irian Jaya.¹¹⁵

3. The Moluccas

During the first year of the new government under President Abdurrahman Wahid, they were still coming to terms with the loss of the province of East Timor and serious separatist violence in Aceh and elsewhere. It was also shocked by the worsening violence in Maluku, Indonesia's name for the Moluccas, and so far, it has offered no solution.

There still remains the unanswered question of why religious tensions occurred in the Moluccas since for generations the communities had lived side by side. Christians and Muslims lived harmoniously in adjoining villages. Christians would help build a community mosque; Muslims would help build a church. Unlike in East Timor, some analysts believe that growing tensions between Christians and Muslims erupted into violence after the Ambonese Christians, the native Moluccas, called on the Republic of the South Moluccas or RMS supporters in the Netherlands to help them stop a decline in their community's influence. Christians have seen Muslim settlers take an increasing number of positions of influence as well as greater control of the region's business activity.¹¹⁶

Having been traumatized by the Aceh and East Timor cases, the Indonesian military and police did little to restore law and order in Moluccas. They were afraid of the human rights abuses that happened in Aceh and East Timor. Under the new regulation, it

¹¹⁵ J.R. Verrier, Is West Papua Another Timor? Australian Parliamentary Library, available [online] <http://www.aph.gov.au/library/pubs/cib/2000-01/01cib01.htm>

seems that the military is powerless and they cannot do anything unless the state declares a state of emergency. Therefore, the situation in Moluccas was much better after the government of Moluccas declared the territory in a state of emergency and asked President Wahid to deploy battalions of TNI from other islands to Moluccas.

Though it is not the main concern, Indonesia's ethnic diversity also begins to spark problems such as what happened recently in the Kalimantan (or Borneo) island between the Dayak and Maduranese. The fundamental problem was almost the same with conflict elsewhere in the archipelago, mostly between locals and outsiders. This was the basic difference with the East Timor case. The tension arose usually because the outsiders sought to exploit the local's natural resources or businesses, with some analysts saying, "It's all about money." These situations will still continue until Indonesia's economic recovery is completely achieved.

C. LESSONS FROM INTERNATIONAL CONFLICTS: RWANDA AND KOSOVO

This title is somehow a lesson not only for Indonesia, but also for the international community in the 'remaking of world order,'¹¹⁷ regardless of their interests. The current situation in East Timor, where militias are killing independence supporters, requires urgent reconciliation supported by the international community, and especially the neighboring countries. In the Rwanda case in 1994, unfortunately, the almost complete lack of response by the world's major powers and the United Nations only serves to re-emphasize that the international community still appears to lack the political will to stop such atrocities. In the case of Kosovo, human rights advocates are nonetheless justified in

¹¹⁶ Nicholas Nugent, Analysis: *What Provoked Moluccas Violence?* BBC News January 8, 2000.

arguing that the international community must not stand idly by when people are being slaughtered wholesale. However, doing something does not mean inflaming the situation further. NATO bombings was an example that it could not stop the conflict. In fact, it escalated the violence in Kosovo.

In comparing East Timor with other conflicts, the reason for the disputes, and not just comparing the casualties, should be understood completely. As reported by Chomsky, though there is no one official reason, it can be seen that in the case of Kosovo, Serbia possessed a strong military. The Indonesian army, unlike Serbia, is heavily dependent on the United States, as was revealed in mid-September 1999, when Clinton finally gave the signal to desist. Russia strongly opposed the NATO bombing, but that did not deter the United States and its allies.¹¹⁸

Another incomparable situation is clearly shown in 1999. In Kosovo, there was a desperate need for tribunal indictment. Furthermore, proving the scale of the crimes is also important to NATO politically, to show why 78 days of air strikes against Serbian forces and infrastructure were necessary, by the intriguing logic, conventional in Western doctrine, that Serbian crimes provide retrospective justification for the NATO bombing of which there were any anticipated consequences. While in East Timor, the TNI or the Indonesian military was armed, trained, funded, and supported by the United States and its allies from the beginning of the occupation until the referendum. Therefore, should

¹¹⁷ Huntington, *The Clash of Civilization*, pp. 13-15.

¹¹⁸ Noam Chomsky, *A New Generation Draws the Line: Kosovo, East Timor and the Standards of the West*, pp. 20-25.

Indonesian military personnel be indicted for crimes that could rebound to the United States and allies?¹¹⁹

In Rwanda, the situation is slightly different. The Rwanda case dealt with the slow response from the international community, and the UN in particular. When the ethnic conflict between the Hutu and Tutsi took place, a UN peacekeeping force, UNAMIR, was present in the capital, Kigali. The UN Security Council decided to reduce the number of peacekeeping forces instead of approving the UNAMIR commander request for more UN troops. Eventually, however, the Security Council approved French intervention after the Tutsi-led Rwandan Patriotic Front (RPF) was on the verge of defeating the genocidal regime, too late though to save more than a handful of lives. While in East Timor, the UN forces never entered East Timor without permission from Jakarta. Unless Washington reacted quickly, the TNI would proceed to control East Timor. It was not until September 9, 1999 that Washington suspended the Pentagon's formal military ties with the TNI. Almost instantly, Jakarta announced that it would allow a peacekeeping force. It is clearly understood that the United States has long had tremendous influence in Indonesia.

D. THE FUTURE PROBLEMS: REFUGEE AND THE PRO-INTEGRATION MOVEMENT

After the referendum, the problems did not just disappear. The murder of the UN aid workers in September 2000 sparked an international outcry and resulted in the hurried exodus of around 400 foreign aid personnel who were working with about 130,000 East Timorese refugees remaining in Indonesian West Timor. According to Western

¹¹⁹ Ibid, pp. 60-62.

journalists reports, the militia have gained control of the refugee camps and intimidated East Timorese waiting to return home. However, Jakarta has also claimed to have progressed in investigating the human rights abuses and atrocities committed in East Timor including arresting leaders of the militia.

1. Refugee Problem

The Wahid administration, in both Jakarta and West Timor, wants the refugees to return, as does the East Timorese leadership. According to the UN report, more than 150,000 refugees have returned, although an estimated 100,000 were still in West Timor. However, the withdrawal of all United Nations workers from West Timor, following the September 6 killing of three staff members of the UNHCR, has affected a key area of concern, especially for Indonesia. The postponement of a fourth round of bilateral talks scheduled for early September left several issue unresolved, including the restoration of public records, archive and cultural artifacts; the term under which East Timorese students will be able to continue their studies at Indonesian institutions, and the arrangement for free and unhindered movement of people and goods between the enclave of Oecussi and the rest of East Timor.¹²⁰ (See Figure 2)

The UN also reported that refugees faced intimidation from the pro-integration militias who had been living in the refugee camps since the referendum. This includes a mass misinformation campaign that has saturated the refugees. East Timor's lack of a functioning judicial system as well as economic disincentives presents additional

¹²⁰ Progress and Problems in East Timor, available [online] <http://www.un.org/News/Press/docs/2001/sc7044.doc.htm>

obstacles. Counter to international norms of civilian refugee camps, camps in West Timor are highly militarized, especially since the exodus of the UNHCR workers.

2. Militia Problem

There are explanations for the TNI (Indonesian military) support of the militias, though the factual data are unclear. (1) The TNI is very bitter about East Timor's independence, which is the first real loss the TNI has ever suffered. Soldiers came to East Timor to be trained and for career advancement. Consequently, the TNI feels close emotional attachment to East Timor that it is not ready to relinquish. (2) Militia leaders are, in effect, blackmailing the TNI in order to continue receiving monetary and military support. The militia leaders know a great deal about the TNI chain of command responsible for the post ballot destruction of East Timor, and may threaten to reveal the truth about what happened in East Timor if the TNI does not maintain its support, and (3) the militia will always use refugees in order to fight against the pro-independence groups. To know more about the militia, the following are the players and their interests considered for future resistance for an independent East Timor if they are not recalled to join the reconciliation. Also see Figure 3. Thus, the major pro-integration militia consists of:

- **Forum for Unity, Democracy, and Justice (FPDK)** — Led by Domingos Soares. Merged with other groups on June 23, 1999 to form the United Front for Autonomy (UNIF)
- **Front of the People of East Timor (BRTT)** — Chaired by Basilio Araujo Francisco Xavier Lopez da Cruz. Also merged to form the UFA. Reportedly has army support and is active in pro-integration propaganda campaigns.
- **Halilintar (“lightning”)** — Militia located in the Bobonaro region and led by Joao Tavares, a major landlord in the area. It was the third element to merge into the UFA. Estimated strength of 800.

- **Aitarak** — Located in Dili, led by Eurico Guterres. Have been reportedly seen being trained by TNI. Estimated strength of 5000. Heavily armed with AK-47s.
- **BMP (Besi Merah Putih “the Red and White Iron”)** — The name is a reference to the Indonesian flag. Located in Liquica, with an estimated strength of 2000.
- **United Front for Autonomy (UNIF)** — The pro-autonomy political coalition formed June 23, 1999 to campaign in the August referendum. Main elements are FPKD and BRTT.¹²¹

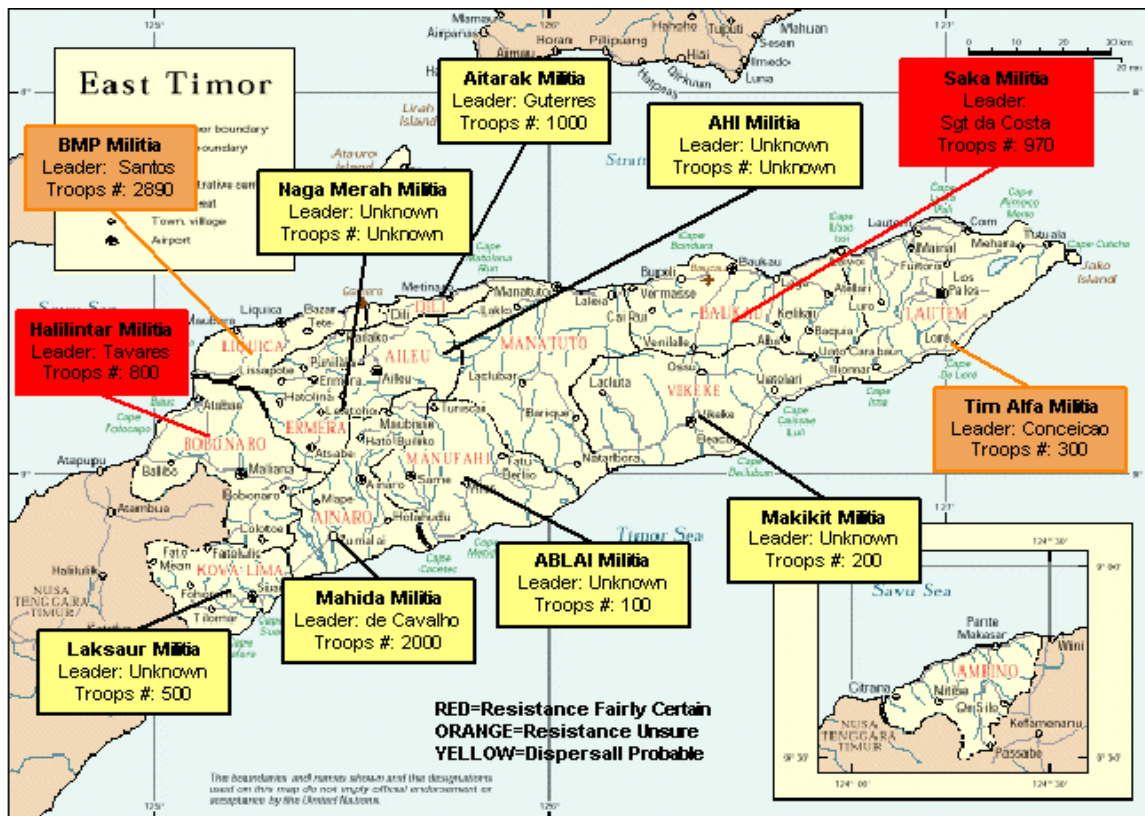


Figure 3. Map of Pro- Integration Militia Threat in East Timor, 1999.
 From Ref: [Virtual Information Center]

As a conclusion, the overall political situation within East Timor as well as the regional context, including relations with its neighbors; the need for the accelerated

¹²¹ East Timor Militias: Overview and Assessment, available [online] <http://www.vic-info.org/RegionsTop>

return of the refugees and care in both West and East Timor are the main problems for the future East Timor. These are good lessons for all interested parties: Indonesia, East Timor, the UN, the region and the major powers. The only key country important enough to encourage the East Timorese to build their new nation is Indonesia, because of East Timor's 23 years occupation by Indonesia. Since Indonesia is also a key player in the ASEAN, it might be significant for East Timor to find the ASEAN as its course of action, especially in terms of economics prosperity. Therefore, the following chapter will deal with the response of the ASEAN to rebuilding the new East Timor.

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VI. ASEAN'S RESPONSE TO THE REBUILDING EAST TIMOR NATION

For almost 23 years, East Timor was occupied and mishandled by Indonesia on orders of President Suharto. In 1999, a referendum was held in which the East Timorese voted overwhelmingly for independence. East Timor is now under a United Nations transition administration (UNTAET). In keeping with its longstanding policy of non-interference, the Association of Southeast Asian Nations (ASEAN) members never commented on the accusations of human rights issues in East Timor. Nevertheless, the other ASEAN members, at least, did not have a conflict with the East Timorese. If today East Timor has the best relationship possible with Washington, Canberra, and London, which had in the past sold weapons to the Suharto regime, what are the potential problems in the future East Timor might have in its relations with ASEAN. This chapter will try to analyze the response of ASEAN after the East Timor referendum by focusing on the background of ASEAN, its challenges after the Cold War, and East Timor's prospective alliances with the ASEAN.

A. ASEAN'S ROLE IN THE COLD WAR

Since its establishment in 1967, ASEAN's aim was originally to reduce external tensions between Southeast Asia's non-communist states, with the intention of freeing their weak post-colonial governments to tackle internal communist challenges, and to address development priorities. The most serious tension was the undeclared war—the *konfrontasi* or Confrontation—waged by President Sukarno's Indonesia against the new

Federation of Malaysia from 1963 to 1966. It was pursued largely for domestic political reasons, and ended with General Suharto ousting Sukarno.

During the Cold War period, ASEAN played a confidence-building role, opening new channels of communication between countries whose relations had been marked by ‘mutual ignorance, isolation, and conflict.’ ASEAN’s substantive claim was to have provided an incentive for Southeast Asia’s non-communist states to manage their differences without resorting to armed conflict. However, ASEAN’s founder did not create the association as a mechanism for resolving disputes between countries. To accommodate the disputes, therefore, ASEAN formed the Treaty of Amity and Cooperation (TAC) in 1976,¹²² a high council for formal dispute-resolution. This has never been functional because of the ‘non-interference principle’ of the ASEAN members. This principle thus became a guiding core of belief of ASEAN for three reasons:

- Its member feared external support for their domestic communist insurgencies
- ASEAN’s ethnic, religious, political, and economic diversity risked irreconcilable differences between its members unless these aspects of national life were excluded from discussion, and
- The association’s governments were unwilling to cede their new-founded sovereignty and to comment on each other’s internal affairs.

To preserve the sovereignty of its members, ASEAN’s decision-making was based on consultation and consensus. Issues that could not be resolved in this way were set aside. However, not all of these issues were resolved completely by ASEAN ‘s leaders. The East Timor case thus became a dilemma for ASEAN leaders since Jakarta

¹²² Amitav Acharya, *Constructing A Security Community in Southeast Asia: ASEAN and the problem*

never spoke out about its ‘internal’ problem. As described in Chapter III, because of the obsession with the non-interference principle, the leaders of ASEAN had uttered virtually no protest and instead had completely turned their back on East Timor and its people. The simple reason appears to be that they had not wanted to embarrass Indonesia. Such a move might jeopardize their highly-priced “ASEAN solidarity.”

B. ASEAN’S POST-COLD WAR CHALLENGES OF REGIONAL ORDER

The fall of the Soviet Union presented ASEAN with challenges, as well as opportunities. The Association emerged from the Cold War as Southeast Asia’s pre-eminent institution, in a position to contemplate enlargement on its own terms. It could boast over two decades of peace among its members, accompanied by increasingly strong economic performance. The overall security environment had dramatically improved with the disappearance of Sino-Soviet rivalry.

1. Remaking the Regional Security Community

According to Acharya, constructing security communities involves developing shared understandings about peaceful conduct, whereby interests previously pursued through war are instead pursued through peaceful means. In the case of ASEAN, many analysts argue that ASEAN’s record could be criticized for never invoking its formal dispute-settlement mechanism that the ‘High Council’ provided under the Treaty of Amity and Cooperation (TAC). However, an adequate evaluation of ASEAN’s role in dispute settlement must look at its norms and processes of interaction, which are less tangible but may have a more significant impact in keeping intra-mural peace. The ASEAN leaders thus define the process of interaction by expressing the ‘ASEAN Way.’

This is also viewed as a continuing process of identity building, which relies upon conventional ‘modern’ principles of interstate relations as well as traditional and culture-specific modes of socialization and decision making prevalent in the region.¹²³

For its identity, ASEAN’s decision makers are likely to prefer to use the ‘collective identity’ rather than a single identity. There can be several indicators of collective identity:

- A commitment to multilateralism, including a desire to place an expanding number of issues on the multilateral agenda, which have been previously tackled through unilateral and bilateral channels.
- The development of security and cooperation, including collective defense, collaboration against internal threats, collective security, and cooperative security measures.
- Identity formation can be sensed from the boundaries and membership criteria of the group¹²⁴

For ASEAN, the definition of what constitutes a region and commonly held notions (insiders and outsiders) are important. In addition, ASEAN’s definition about a security community is always related to its norms and process of socialization. The role of norms is investigated with respect to their regulatory as well as effects, though in some cases ASEAN is facing a dilemma about the emergence of its security community such as militias or international terrorism. To understand how ASEAN forms its security communities, Figure 4 will show the interplay between norms and socialization in the making of ASEAN’s security communities.

¹²³ Ibid, pp. 21-28.

¹²⁴ Ibid, pp. 27-28.

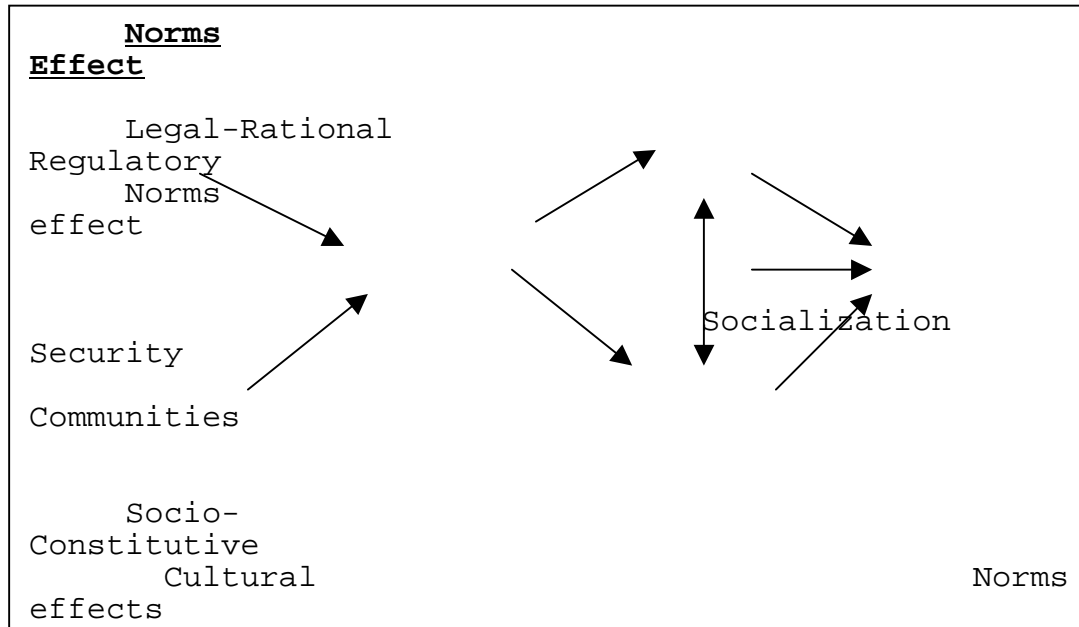


Figure 4. Norms, Socialization and Security Communities.

From Ref: [Amitav Acharya, Constructing A Security Communities in SE Asia, p. 29]

The figure above explains that the central focus is on the role of norms, both legal-rational [Non-interference and non-use of force], and the socio-cultural [consultations and consensus], could play in the socialization process which may be redefined by the interests and identities of the ASEAN members.

2. ASEAN's Management of Conflict

The debate over non-interference has revealed how far the expectations of ASEAN have changed since 1967. At its formation, the Association's purpose was exclusively political and security related. All of its cooperation was a means to these political security ends. After thirty years, ASEAN has embarked on a process of economic integration, which was expected to produce economic outcomes. ASEAN has become the world's most institutionalized regional association apart from the EU, cooperating in every public policy and requiring a massive investment of national

resources by its membership. However, it has not always evolved smoothly. Tensions arose among internal members, which in fact, became a dilemma for its non-interference principle. The Indonesia-East Timor dispute might be the most crucial problem in the last two decades. In terms of conflict management, therefore, ASEAN tends to use its own way (or ASEAN way) such as the avoidance of legal and formal procedures, and written treaties.

a. The Avoidance of Legal and Formal Procedures

This part of the “ASEAN Way” could be seen when Singapore and Malaysia decided to refer their dispute over Pedra Branca to the International Court of Justice (ICJ) in September 1994. This initiative was followed by Malaysia and Indonesia in early 1997 in the dispute over the Sipadan and Ligitan Islands. It was significant because Jakarta had proposed to exhaust all diplomatic options before resorting to it. All disputes in Southeast Asia are detailed in Table 5. Should the dispute be subject to any form of third-party mediation, then the mediator should be one of the members of ASEAN. Despite being an avoidance of formal mechanisms, it is consistent with the ASEAN members’ commitment to the norm on the peaceful settlement of disputes and a detraction from its norm in seeking regional solutions to regional problems.

b. ASEAN’s Treaties

The Southeast Asia Nuclear-Weapon-Free Zone Treaty, known as ZOPFAN, becomes the second most important treaty after the Treaty of Amity and Cooperation (TAC). Under these treaties, disputes regarding its interpretation are to be settled by peaceful means, including negotiations, mediations, enquiries, and conciliations. If no settlement can be reached within one month, then the dispute may be

referred to the ICJ. Though the legal mechanisms are provided, ASEAN officials have emphasized the importance of political dialogue to manage their disputes. Legal procedures are to be used only as the last course of action.¹²⁵

Areas	Claimers
The northern Andaman Sea	Burma and India
The eastern Gulf of Thailand	Vietnam, Thailand, and Cambodia
The southwestern Gulf of Thailand	Malaysia, Thailand, and Vietnam
An area north, west, and east of Natuna Islands	Vietnam, Indonesia, Malaysia, And China
Off-shore Brunei	Brunei, Malaysia, possibly China, Possibly Vietnam
The Gulf of Tonkin	China and Vietnam
The Spratly Islands	Brunei, Malaysia, Vietnam, the Philippines, China, and Taiwan
The Sipadan and Ligitan Islands	Indonesia and Malaysia *
The Arafura Sea	Indonesia (now East Timor) and Australia *

Table 5. Disputed Maritime Areas in SE Asia.
 After Ref: [Tien and Cheng, The Security Environment in the Asia-Pacific, p263]
 (*) Refers to ICJ

3. Enlarging ASEAN: Lessons Learned from Vietnam, Cambodia and Admission of Myanmar

In 1992, the ASEAN leaders announced that the Association would seek a close relationship based on friendship and cooperation with the Indo-Chinese countries, following the settlement of Cambodia. ASEAN also emphasized that the Treaty of Amity

¹²⁵ Ibid, pp. 128-133.

and Cooperation (TAC) was open for signature by all Southeast Asian states. In this year also Vietnam and Laos signed the treaty, and attended the ASEAN Ministerial Meeting as observers. With its enlargement, ASEAN promised to extend to the whole of Southeast Asia the peaceful and prosperous culture of cooperation established by ASEAN's original members. By joining ASEAN, Vietnam, Laos, Myanmar, and Cambodia committed themselves to preventing disputes from arising with their neighbors, and renounced the threat or use of force to resolve disagreements.

a. Vietnam: A Historic Act of Reconciliation

The end of the Cold War and Vietnam's withdrawal from Cambodia redefined relations between ASEAN and Vietnam. As assessed by many analysts, Vietnam's admission into ASEAN in 1995 has been described as 'a historic act of reconciliation.' It could help to restore the Indochina divide by opening channels of communication and providing incentives to manage and resolve disputes. Hanoi argues that ASEAN membership has provided a good gesture toward the long-standing differences such as disputes over sea boundaries. In addition, Under the Paris Peace Accords, Thailand and Vietnam, together with the other parties, committed themselves not to interfere in Cambodia's internal affairs. This was also bound by the principle of ASEAN's non-interference principle.

In terms of economic development, the government of Vietnam has participated heavily in attending ASEAN meetings, including hosting ASEAN's sixth summit meeting in December 1998. Other members regard Hanoi's efforts to adapt to ASEAN's informal and consensus-based style as remarkable, given the country's

communist system and recent isolation. For these reasons, there has been no doubt about ASEAN's role in facilitating Vietnam's entry into global affairs.¹²⁶

b. Myanmar: Breaking Chinese Encirclement

For the ASEAN's original members, Myanmar's membership was intended to limit China's strategic influence in Southeast Asia. The Association cannot, however, compete with China in providing military assistance. In addition, economic adversity has made Myanmar more difficult for the ASEAN to offer Myanmar trade and investment benefits, especially after the 1997 Asian economic crisis. It was hoped, therefore, that participating in ASEAN would ease Myanmar away from its isolationist mindset and could encourage greater openness in its society.

In terms of regionalism, Yangon does not seem prepared to follow ASEAN's rule. The regime has failed to offer sustained political concessions in response to the ASEAN's 'constructive engagement.' In the political arena, almost all ASEAN leaders have advised and encouraged the regime to open dialogue with the pro-democracy opposition led by Aung San Suu Kyi. Since the approaches of individual ASEAN's government differ, therefore, there is an agreement that constructive engagement must be bilateral approaches, and that it would be private and a high level relationship. This can be another 'informal and flexible' way of how the Association handles the tension.¹²⁷

¹²⁶ Tien and Cheng, *The Security Environment in the Asia-Pacific*, pp. 122-124.

¹²⁷ Acharya, *Constructing A Security Community in SE Asia*, pp. 108-115.

c. Cambodia: The ASEAN's Dilemma of Non-Use of Force

Cambodia became ASEAN's tenth member on April 30, 1999, almost two years after its intended admission date. Under ASEAN's non-interference non-use of force principles, ASEAN's leaders had to postpone Cambodia's admission because of Hun Sen's 1997 coup. ASEAN was compelled to outline the political conditions under which the country would be admitted. At the urging of the international community, the Association unwillingly mediated between the Cambodian parties through a troika of ASEAN's original members, namely Indonesia, Thailand, and the Philippines. Sensing the Association's vulnerability, the Cambodian leadership explicitly rejected the ASEAN troika and accused the Association of violating its own central principle. ASEAN's troika thus almost made no progress unless Japan intervened. As Cambodia's major aid donor, Japan proposed the UN create a UN-coordinated Joint International Observer Group (JIOG), as did the ASEAN. This intervention was to set the cease-fire agreement, the return of political exiles, severing links between ousted royalist and the illegal Khmer Rouge, and free and fair elections, which was finally accepted by Hun Sen.¹²⁸

As a conclusion of all of the above lessons learned, the experiences of ASEAN since its establishment 33 years ago could only survive if it follows its norms firmly, among which are non-interference, non-use of force, regional autonomy, the avoidance of collective defense, and the practice of the 'ASEAN way' were the most salient. Among its survival, there were successes and challenges. ASEAN's leaders consider that the recent formation of the ASEAN-10, is the most successful effort that has never happened before. However, along the success strategy, there must be challenges ahead. The case of

East Timor, for example, will then be the next challenge for ASEAN. Should it become ASEAN-11? The next section will thus analyze all approaches and possibilities.

C. REBUILDING EAST TIMOR AND THE FUTURE ASEAN OUTLOOK

As described in Chapter II, obsessed with the principle not to interfere in internal problems, the ASEAN members did nothing as East Timor went up in flames after voting overwhelmingly for independence in September 1999. It was witnessed when Indonesia asked the United Nations to help restore order in what has been its province for 23 years. The ASEAN-10 responded only tardily to a request for troops. While ASEAN was already reeling from the regional economic crisis, which weakened Southeast Asia of its economic dynamism and left members divided. The recent enlargement, with the addition of Vietnam, Laos, Myanmar, and Cambodia, also has weakened ASEAN's cohesion and undermined its ability to operate in the international arena. If ASEAN was turning its back on East Timor during the Indonesian occupation, it now has a good chance to recover its reputation by contributing significantly and collaborating with the East Timor's transition authority (the UN) to rebuild East Timor.

1. East Timor Challenges ASEAN's Principles

In the Western view, Indonesia's troubles in East Timor are shaping up as a 'big test' for ASEAN, which include some of Indonesia's closest allies. As described earlier, the ASEAN-10 has a strict policy of non-interference in its political affairs unless any members ask for help. However, ASEAN also advocates an Asian solution to regional security crises, and it now faces an unprecedented challenge to the principle of Indonesia's action in East Timor. In addition, ASEAN countries' slow reaction to the

¹²⁸ Ibid, pp. 115-120.

East Timor crisis has exposed the group's weakness at crisis management. ASEAN was created 33 years ago to foster economic and political solidarity among Southeast Asian states in the midst of fears that communism posed a threat to the region. Neither ASEAN as a group nor any of its members has ever taken a direct military role in a serious security crisis involving another member country.

ASEAN dilemma of not interfering in internal problems had actually been seen since Indonesia's occupation of East Timor in 1975, when its member agreed that East Timor was Indonesia's internal problem. This situation continued until another event forced ASEAN leaders to vote at UN Headquarters in October 1999 when the western countries in the UN's Geneva-based Human Rights Commission voted for an investigation of East Timor. Nevertheless, ASEAN's countries on the commission either opposed or abstained, including Japan and Korea.

In terms of sending a peacekeeping force, ASEAN actually has experience in the Cambodia conflict, where members of ASEAN sent a small contingent of military or police to protect a UN-sponsored national election in 1993. At that time, Cambodia was not an ASEAN member and the election was generally peaceful and orderly. Unlike in Cambodia, the East Timor crisis was different because ASEAN's biggest member was at the heart of the problem. ASEAN leaders, reluctant to embarrass Indonesia, were largely passive as the likelihood of the tension between East Timor's the pro-integration and pro-independence grew after the September referendum. The ASEAN leaders only began to seriously discuss participation in a peacekeeping effort after President Habibie officially asked other ASEAN countries to participate in the force to balance the role of Australian

troops. Many Indonesians and their fellow Asians were very offended by Australia leading the UN forces in East Timor.¹²⁹

2. East Timorese View in Entering the ‘ASEAN Way’

Indonesia’s decision to allow East Timor to determine its status by popular consultation may ultimately lead to the formation of a new independent nation in Southeast Asia. If East Timor does become independent, it may be a candidate for ASEAN membership. The East Timor leadership, Xanana Gusmao and Jose Ramos Horta, have stated that the territory should join the Association, as well as the ASEAN Regional Forum together with the other 16-members. ASEAN leaders believe that, if the territory chooses independence, Indonesia should promote its membership in order to ease its absorption into the region. The problem is: can East Timor follow the ASEAN’s principle or the so-called the ‘ASEAN way?’, which was already explained earlier.

For ASEAN-10, learning from the ASEAN enlargement, East Timor admission could be very helpful either for East Timorese or ASEAN itself. However, enlargement would also be costly. Although ASEAN prided itself on its ‘unity in diversity,’ enlargement substantially increased its political and economic variety, and the diversity of strategic views among its members. The Association’s political spectrum broadened with the inclusion of the communist governments of Vietnam and Laos, and of Myanmar’s authoritarian military regime, just as liberal democracy was becoming more entrenched in Indonesia, Thailand, and the Philippines. Therefore, a good benefit for a

¹²⁹ Raphael Pura, Conflict Over East Timor May Test ASEAN Alliances, available [online]: <http://www.Malaysia.net/sangkancil/1999-09/msg01219.html>

new comer, ASEAN acknowledge that the political profile or its new members could not be ignored. This was also the so-called challenge of ASEAN's post-Cold War.

Economically, the new members will encounter ASEAN's diversity of macroeconomic outlook, whose range of per-capita gross national product extended from Singapore's \$32, 940 to Cambodia's \$300 in 1998. More details can be found in Table 6. Given their past experience in forming the ASEAN-10, ASEAN leaders believe that only by joining ASEAN can East Timor survive, even though the newly independent East Timor will feel uncomfortable with the "ASEAN Way," especially until some ASEAN members recover from the economic crisis.¹³⁰

<i>ASEAN-10</i>	<i>Population</i> ('000)	<i>Total Area</i> (Km2)	<i>GDP</i> (1998 US\$bn)
<i>Brunei</i>	317	5,770	4.9
<i>Cambodia</i>	10,430	181,040	2.9
<i>Indonesia</i>	200,745	1,919,440	88.6
<i>Laos</i>	5,200	236,800	1.1
<i>Malaysia</i>	22,000	329,750	67.5
<i>Myanmar</i>	49,500	678,500	19.0
<i>Philippines</i>	74,044	300,000	64.5
<i>Singapore</i>	3,076	648	84.4
<i>Thailand</i>	62,910	514,000	117.0
<i>Vietnam</i>	78,852	329,560	24.6

Table 6. ASEAN's Diversity.
After Ref: [CIA Fact Book 1998 and the IMF]

Since its establishment in 1967, ASEAN's historic enlargement to integrate the whole of Southeast Asia has met both success and challenges. Therefore, this chapter

¹³⁰ Sonny Inbaraj, *The Geopolitics of East Timor: A Media Perspective*, available [online] at:

tries to conclude that originally formed as an experiment in regional cooperation predicated on security concerns, after the Cold War ASEAN placed a new priority on enhancing the quality of its integration, and on the community. In terms of problem solving, the culture of non-interference and the avoidance of problems, is likely to change 'slightly' under some circumstances. The depth of international involvement in Indonesia's transition is a good example of addressing the changes of ASEAN's avoidance in the countries' internal affairs. Should East Timor choose independence and eventually join the ASEAN, it would likely challenge the non-interference principle, ASEAN though is unlikely formally to change its treaty commitment. The emergence of a reformist in Indonesia could lead to a substantial shift or more flexibility in the association's operating practices.

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VII. RECOMMENDATIONS

This chapter provides prospective recommendations concerning the independence of East Timor by starting with the understanding of what each other's interests or objectives are, and what can be done to help the East Timorese rebuild their nation. This chapter also recommends what the proper future alliances for the new East Timor state should be, economically, politically, and in security. This will be related to the UN's "constructive" role in East Timor's preparation to be an independent state and its interaction with the main East Timorese political force in administering the transition towards independence, which includes reconciliation and organizing its internal affairs.

A. ACTORS INTERESTS

To effectively make recommendations for a future East Timor, it is important to fully understand all the objectives concerned in the East Timor case:

1. Indonesian Actors

- ***The Wahid Government.*** Its goals are a stable economic and political environment in which the state of Indonesia can grow strong and healthy. Its objective is the preservation of Indonesia and its elite. In President Wahid's mind, his election was the result of compromises over how power would be shared among factions of Indonesia's elite. He is willing to compromise with the provinces and allow them autonomy in a federalized, or Indonesian